



TWENTY-THIRD

R E P O R T

OF THE

DISTRICT CHARITABLE SOCIETY,

MDCCLIII.

WITH A

LIST OF SUBSCRIBERS AND DONORS,

AND

AN APPENDIX,

CONTAINING A STATEMENT OF RECEIPTS AND DISBURSEMENTS OF THE  
SOCIETY, AND A LIST OF ALL PENSIONERS NOW UPON ITS FUNDS.

CALCUTTA:

BENGAL MILITARY ORPHAN PRESS.

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1854.

P A T R O N  
OF THE  
DISTRICT CHARITABLE SOCIETY,  
THE RIGHT REVEREND THE LORD BISHOP  
OF  
CALCUTTA.

*CENTRAL COMMITTEE.*

**President.**

THE HON'BLE SIR JAMES WILLIAM COLVILE, KT.

**Vice-Presidents.**

THE VENERABLE ARCHDEACON PRATT.

EDWARD CURRIE, ESQ., C. S.

THE REVEREND H. S. FISHER.

THE REVEREND A. HAMILTON.

THE REVEREND H. HUTTON.

B. J. COLVIN, ESQ., C. S.

**Members.**

THE MEMBERS OF COUNCIL—JUDGES OF THE SUPREME COURT—

THE MEMBERS OF THE SELECT VESTRY, AND OF ALL THE

DISTRICT COMMITTEES ; AND ALL SUBSCRIBERS TO THE

AMOUNT OF ONE HUNDRED RUPEES ANNUALLY.

**Honorary Secretary.**

J. GREGORY VOS, ESQ., M. D.

**Assistant Secretary.**

MR. D. TEMPLETON.

**Medical Officer.**

ROBERT STUART, ESQ., M. D.

**Treasurer.**

BANK OF BENGAL.

*The Committee meets in the Town Hall on the last Tuesday  
of every month, at 9 o'clock A. M.*

LADY WILLIAM BENTINCK'S FUND,

1835.

**Crustees.**

THE GOVERNOR GENERAL,  
THE CHIEF JUSTICE,  
THE LORD BISHOP OF CALCUTTA,

*For the time being.*

LOKNATHI FUND FOR THE POOR INVALIDS.

ENDOWED,

1854.

DWARKANATH TAGORE'S FUND

FOR

BLIND POOR.

ESTABLISHED IN APRIL, 1838.

**Trustees.**

H. M. Parker, Esq.,	}	Europe.	Baboo Prosonnocomar Tagore.
Wm. Prinsep, Esq.,			Baboo Debendernath Tagore.
William Carr, Esq.,			Baboo Greendernath Tagore.

*Associated with the Central Committee.*

Mrs. ENGLISH'S CHARITY,  
*PLACED UNDER THE MANAGEMENT*  
OF THE  
DISTRICT CHARITABLE SOCIETY,  
BY  
G. A. BUSHBY, Esq., C. S.,  
TRUSTEE,  
IN  
1840.

GENERAL ALMS-HOUSE AND LEPER ASYLUM,

*VISITING COMMITTEE.*

B. J. Colvin, Esq.

Cecil Beadon, Esq.

J. H. Fergusson, Esq.

H. H. Withers, Esq.

J. H. Norman, Esq.

C. H. Pickford, Esq.

H. E. Braddon, Esq.

And the Presidents and Secretaries of the respective  
District Committees.

ST. PAUL'S CATHEDRAL DISTRICT COMMITTEE.

**Members of the Vestry,**

The Right Reverend the Lord Bishop of Calcutta.

The Venerable Archdeacon J. H. Pratt.

The Revd. H. S. Fisher, M. A.

R. Molloy, Esq.

The Revd. H. Moule, A. M.

R. O'Dowda, Esq.

The Revd. J. Blomefield.

Major H. Fraser, (Absent.)

The Revd. C. Davies.

Cecil Beadon, Esq.

Col. W. N. Forbes.

Major Abercrombie.

**Vestry Clerk.**

MR. JOHN G. LLEWELYN.

ST. JOHN'S DISTRICT COMMITTEE.

**Members of the Select Vestry,**

The Right Reverend the Lord Bishop of Calcutta.

The Venerable Archdeacon J. H. Pratt.

The Reverend Arthur Hamilton, B. C. L.

The Reverend J. M. Bellew, S. C. L.

R. Stuart Palmer, Esq.

W. Duncan, Esq.

(Vacant.)

(Vacant.)

**Vestry Clerk.**

MR. JOHN G. LLEWELYN.

**Secretary and Inspector.**

MR. GEORGE THOMAS.

*The Committee meets on the last Wednesday of every month.*

*The Pensioners are paid on the first Thursday of every month.*

OLD CHURCH DISTRICT CHARITABLE  
COMMITTEE.

**President.**

THE REVEREND H. HUTTON, B. A.

**Vice-President.**

THE REVEREND H. SMITH.

**Members.**

W. Bonnaud, Esq.

J. H. Norman, Esq.

J. H. Bartlett, Esq.

G. W. Moultrie, Esq.

T. Black, Esq.

C. S. Leresche, Esq.

H. E. Braddon, Esq.

J. W. Twalling, Esq.

J. Dodd, Esq.

W. Twenlow, Esq.

J. H. Fergusson, Esq.

H. H. Withers, Esq.

G. W. Kellner, Esq.

**Honorary Secretary and Treasurer.**

M. S. TEMPLETON, ESQ.

**Assistant Secretary and Inspector.**

MR. W. A. LIMOND.

One Native Writer and one Peon.

*Meetings of the Committee are held at the Old Church Rooms,  
on the 15th of each month ;—when it falls on a Sunday or  
Holiday, the Meeting takes place on the following day.*

*The Pensioners are paid on the 6th of every month.*

ST. JAMES' DISTRICT CHARITABLE COMMITTEE.

**President.**

THE REVEREND R. B. BOSWELL, B. A.

**Members.**

The Reverend T. Sandys.

T. Black, Esq.

E. D. Fabian, Esq.

C. W. Harris, Esq.

J. J. L. Hoff, Esq.

N. Kerr, Esq.

C. H. Kerr, Esq.

W. H. Hoff, Esq.

**Honorary Secretary and Treasurer.**

C. H. KERR, ESQ.

**Establishment.**

One Clerk and Inspector, and a Peon.

## HOWRAH DISTRICT CHARITABLE COMMITTEE.

### **Members.**

H. Alexander, Esq., C. S.

Revd. Principal Kay.

P. Homfray, Esq.

John Hodgson, Esq.

J. R. Warde, Esq., C. S.

Revd. A. Garstin.

J. Mackenzie, Esq.

| C. Grose, Esq.

### **Honorary Secretary and Treasurer.**

JAMES MACKENZIE, ESQ.

NATIVE COMMITTEE.

**President.**

RAJAH SUTTO CHURN GHOSAL.

**Members.**

Rajah Pertaub Chunder Singh.

Baboo Ramgopaul Ghose.

Baboo Rajender Dutt.

Baboo Peary Chand Mittra.

Baboo Eshan Chunder Bose.

Baboo Nilcomul Banerjea.

Baboo Bemola Churn Day.

Baboo Gannendro Mohun Tagore.

The Revd. Professor Krishna Mohun Banerjea.

Baboo Lokenath Bose.

**Honorary Secretary.**

BABOO RADANATH SICKDAR.

One Reporter, and one Inspecting Jemadar.

*The Meetings of the Committee are held on the last Wednesday of the month.*

*The Pensioners are paid on the first Sunday of every month.*

# TWENTY-THIRD REPORT

## OF THE

### DISTRICT CHARITABLE SOCIETY.

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THE Central Committee of the District Charitable Society, submit for the information of its supporters and the public at large, the following Report of their Proceedings during the past year.

The Society has been deprived of the Services of the Revd. Henry Thomas, President of the Old Church District Committee, who has been compelled by severe illness to quit India for a time: on which occasion the following Proceedings and Resolution were recorded.

*Extract from the Proceedings of the Old Church Committee, District Charitable Society, at a Special Meeting held in the Old Church Room, on Thursday, the 7th July 1853.*

Read a letter, dated the 29th ultimo, from the Revd. H. Thomas, President of the Old Church Committee, District Charitable Society, to the address of the Secretary, intimating that his connexion with the Old Church Committee will cease, for a time at least, in consequence of his departure to the Cape for the benefit of his health, and request-

ing that his warmest thanks be conveyed to the gentlemen of the Committee for the kind support rendered by them to him, in the management of the affairs of the Society.

*Resolution.*—That this Committee is desirous, on the approaching departure for the Cape of Good Hope, in ill-health, of its respected President, the Reverend H. Thomas, to express to him the heart-felt sympathy, esteem, and warm regard of its members and their earnest wishes and prayers that it may please God to restore him to his sphere of usefulness in this place in renovated health and strength. It desires also to record its sense of the able, conscientious, and Christian manner, in which the duties of President of this Committee have uniformly been discharged, and of his most valuable punctuality and regularity in all matters of business connected with those duties. The Committee feels greatly obliged to Mr. Thomas for his very kind letter of the 29th ultimo, addressed to Mr. Templeton, and warmly reciprocates the kindly feelings entertained towards its members by Mr. Thomas.

(Signed) H. H. WITHERS,  
*Chairman.*

(True Extract,)

M. S. TEMPLETON,  
*Secy., O. C. Committee, District Charitable Society.*

It was then *proposed* by the Lord Bishop, *seconded* by the Honorable the President, and *unanimously resolved*: “That the  
“above extract be received and embodied in the next Annual  
“Report of the Society; that this Committee fully concurring  
“in the sentiments expressed by the District Committee, on  
“the occasion of the departure for the Cape of their President  
“the Revd. H. Thomas, take this opportunity to record their  
“appreciation of the indefatigable zeal and diligence displayed  
“by their late colleague Mr. Thomas, one of the Vice-Presi-  
“dents of the Central Committee, with reference to the objects  
“of the Society.”

The Central Committee had the pleasure in December last to receive two letters from Baboo Loknath Bose, relative to his request, that the Society should appropriate the interest of a sum of Rupees 3,000 in Government Paper, to the relief of the Poor. The first letter was as follows :

DE. VOS, *Secretary District Charitable Society.*

MY DEAR SIR,

I wish to know if you can set apart the interest of a Government Promissory Note for Company's Rupees 3,000 for the actual relief of the poor when such a one is made over to you. I am very anxious to receive an early answer.

Your's most faithfully,

LOKNATH BOSE.

In reply, Baboo Loknath Bose was informed that the Society would gladly be the almoners of the proposed Charity ; and he was requested to state whether he intended that Natives alone should be the recipients of his Charity, or whether Natives and Christians alike should share in it ; and under what denomination his Charity should be designated ; to which he made the following reply :

*Baugbazar, 23rd December, 1853.*

DEAR SIR,

I have been favored with your letter of yesterday, and I am glad to find that my proposal is not unreasonable. I beg to inform you that I have no partiality in favor of any particular sect or creed, and I hope that the Society will make no distinction in the distribution of my charity as to the religious persuasion of the candidates. I think all human beings are equal. I wish to lay no other restriction than that my donation should be kept separate under a separate head, such as Loknath Bose's charity, as suggested by you ; that its interest should be appropriated to the actual relief of the poor ; that no candidate should be entitled to get more in consequence of

his religious persuasion or birth-place, and that a copy of the Annual Report may be sent to me annually as heretofore. I further beg to say that the sum proposed by me is not intended to be my last donation, but to form the basis of an endowment to which I wish to make additions from time to time if my future circumstances would allow it. I further beg leave to say that I shall consider it a great favor if the Committee be pleased to comply with my request.

Your's most faithfully,

LOKNATH BOSE.

These were submitted at the Central Committee's Meeting on the 27th December, when it was *proposed* by Col. Birch, *seconded* by Baboo Peary Chand Mittra, and *unanimously resolved*: "That the Committee accept with gratitude the liberal offer contained in the letters just read; and that with the view of obviating all misapprehension as to the Baboo's wishes in the application of his Charity, that the Secretary be instructed to send him a copy of this Resolution, and a copy of the last Annual Report, showing him the distribution of the particular Funds; and to ascertain whether his object is to have his Charity recorded in a similar manner, under the head 'Baboo Loknath Bose's Charity.'"

This was done; and in answer Baboo Loknath Bose wrote a letter enclosing a Government Promissory Note, No. 8,878 of 28,038 of 1841-42, for Co.'s Rs. 3,000, and containing the following passage:

"As I wish that only such of the poor as are disabled and incapable of earning their livelihood should share my bounty, I hope the Society will oblige me by keeping the aforesaid principal donation as a distinct fund under the name of 'Loknath Bose's Fund for the poor Invalids,' and applying the whole of the interest to the relief of the

“ *bonâ fide* paupers of the above description without distinction of birth, caste, or creed. The relief should have reference only to the exigency of every case. I trust the Society will kindly give a separate account of my humble Fund in the Annual Reports as it does in similar cases.”

A further letter was afterwards received from the Baboo, requesting that the Fund should be kept separate under the heading of “Loknath Fund for the poor Invalids:” which will accordingly be adopted.

During the past year one man only, named “John Dyer,” has been shipped through the Old Church Committee; and the sum of Rupees 45 disbursed on his *advance note*, has been returned to the Society.

Since the introduction of the system of issuing Mendicity Tickets for referring applicants to the Society, in all 63 sets, of 12 tickets each, have been sold: and 62 referees have presented their tickets, and were directed to the Committee of the District in which they respectively resided.

It is a gratifying duty the Committee have to perform, in recording several very acceptable and munificent Donations, during the year 1853, all of which have been duly acknowledged.

Professor Lees and Sons, celebrated for their feats of physical strength and agility, presented the Society, Company's Rupees 221-5-4, being one-third of the proceeds of one evening's exhibition, the whole of which they devoted to Charitable Institutions.

The balance of Rupees 33-8-7 from the Committee of the Ball given to Lady Jackson, was transmitted by H. Lumsden, Esq.

X. Y. Z., who is an Annual Subscriber to the Institution contributed in May last, as an "Extra Donation" Rupees 200, and for the Alms' House Rupees 100; and another "Friend" Rupees 250.

The very munificent contribution of Rupees 4,294-0-11 from a very charitable Armenian Gentleman, Owen John Elias, Esq., was received by the Committee, followed up by a further sum of Rupees 950; which, in addition to what he had previously devoted to the District Charitable Society from August 1850, makes a total of Rupees 7,085-8-11.

From another Armenian Gentleman, C. A. Cavorke, Esq., the Committee had the pleasure to receive a donation of Rupees 200 in September last.

Of the legacy of Rupees 3,000 bequeathed to the Institution by the late Baboo Sittanath Mullik, a balance of Rupees 500 remains still unpaid, for which repeated application has been made to the Executor, Baboo Rajkissen Mitter.

As stated in the last Annual Report there remained in the custody of the Government Agent, belonging to the Society, Sicca Rupees 5,000, in the Government 2-5 per Cent. Loan of 1825-26.

This Loan, by Government Notification of the 6th June last, was rendered, at the option of the proprietors, payable in Cash,

or transferrable to the 4 per Cent. Company's Paper Loan of 1842-43.

The Central Committee chose the latter course, and now hold a Note for Company's Rupees 5,300 at 4 per Cent., in the Government Agency, and standing in the names of the Society's Trustees, *viz.*, the Honorable Sir J. W. Colville, and Edward Currie and B. J. Colvin, Esquires; this last-named gentleman having consented to take the place of Sir C. R. M. Jackson, proceeded to Bombay.

## FUNDS.

The Receipts during the past year 1853, have been Company's Rupees 43,426-6-3, which, added to the preceding year's balance Company's Rupees 11,678-2-1, makes a total of Company's Rupees 55,104-8-4.

The Disbursements during the year have been Company's Rupees 43,514-15-3: thus leaving the sum of Company's Rupees 11-589-9-1, at the Society's credit on the 1st January 1854. There is besides, as already noticed, a Government Security for Company's Rupees 5,300, in the custody of the Government Agent.

## CENTRAL COMMITTEE.

One hundred and ninety-five cases, sent up by the District Committees, received the consideration of the Central Committee during the past year:

One hundred and twenty-nine having received relief from the District Committees as *out-door pensioners*, the grants were confirmed for different periods.

Seven received *temporary* relief, and

Fifty-nine were ordered to the Alms-House.

The following Endowed Trust Funds, *viz.*

# LADY WILLIAM BENTINCK'S FUND,

## MRS. ENGLISH'S CHARITY,

AND

## DWARKANATH TAGORE'S FUND FOR BLIND POOR,

have been continued to be carefully distributed, according to the wishes of their respective Trustees.

In the operations of this Department of the Society's trust, nothing of any particular importance has occurred, excepting that four incumbents on Mrs. English's Charity have died, *viz.*

3 of the Quarterly List,	{	1 at Rs.	12	12	9
		1 at „	12	12	9
		1 at „	15	0	0

Per Quarter, Rs. 40 9 6 per annum Rs. 162 6 0

1 of the monthly List, ... at „ 4 0 0 „ „ 48 0 0

causing a further Annual reduction of Rupees 210-6-0, in the stipendiary expenditure of this Charity. The vacancies have not been filled up in accordance with the instructions of the Trustee, G. A. Bushby, Esq.

Lists of the Incumbents are, as usual, to be found in the Appendix.

## ALMS-HOUSE.

In June last, the Reverend Messrs. Herdman and Vaux, Secretaries to the Calcutta City Mission, addressed the Committee, setting forth the objects of the Mission; and inquired if the Alms-House was open to its Agents. The Committee answered, that both the Alms-House and the Leper Asylum would be accessible for the ministrations of the Agents of the Calcutta City Mission on the evenings of Monday, Wednesday and Friday, between the hours of 3 o'clock and Sunset.

There being many children in the Alms-House, with but a distant prospect of admission into the Free School, it was resolved by the Committee, that in the meantime they should receive such instruction as could be imparted at the Alms-House. Mr. Henry Hailes, an inmate, considered capable of undertaking the tuition, was appointed to instruct both the Male and Female children, on a salary of Rupees 10 a month from the 1st of September last. At the same time one of the residents of the Female Ward, was selected to teach the girls Needle-work, on a salary of Rupees 5 a month.

The *able-bodied* Male inmates are occupied in picking Oakum; and the Females are engaged in Needle-work.

The Committee avail themselves of this opportunity, to convey the Society's feelings of gratitude to the Revd. Arthur Hamilton, for the weekly performance by him of Divine Service in the Alms-House; and also to express similar sentiments of obligation to the several Church Society Missionaries, for the Sunday Evening Service in the Mirzapore Mission

Church, intended principally for the benefit of the Alms-House inmates. The average attendance at the Church has been 34 individuals.

The expenditure for 1853 has been as follows :

Establishment, ... ..	Co.'s Rs.	3,593	2	9
Dieting, ... ..	,,	4,558	8	0
Contingencies, ... ..	,,	843	5	9
Total, Co.'s Rs.		8,995	0	6

The details of the Contingencies are :

Oil for Lamps, ... ..	Co.'s Rs.	172	5	3
Cloth, ... ..	,,	55	9	0
Flannel, ... ..	,,	12	8	0
Blankets, ... ..	,,	39	3	0
Shoes, including repairs, ... ..	,,	95	15	9
Assessment, ... ..	,,	88	0	0
Repair of Huts and Roads, ... ..	,,	124	6	0
White-washing, ... ..	,,	34	0	0
Wine and Beer, ... ..	,,	22	6	9
Palkee Bearers and Garry, ... ..	,,	12	5	0
Stationery, ... ..	,,	12	0	0
Tinning Copper Handies, ... ..	,,	16	8	0
Milk, ... ..	,,	90	5	9
Funeral Charges, ... ..	,,	1	6	0
Cots, ... ..	,,	0	10	6
Needle and Thread, ... ..	,,	14	0	0
Sundries, ... ..	,,	51	12	9
Total, Co.'s Rs.		843	5	9

The following Statement shows the Admissions into, Departures from, and Deaths in the Alms-House in 1853:

	Remaining on the 31st December 1852.	Admitted or re-admitted in 1853.	Total of the two preced- ing columns.	Left in 1853.	Expelled in 1853.	Sent to the Free School.	Died in the Alms-House.	Sent to the Medical Col- lege, General and In- tally Hospitals.	Total of the five preced- ing columns.	Remaining on the 31st December 1853.
Males, .....	42	114	156	91	2	0	0	14	107	49
Females, ...	46	64	110	42	0	0	2	11	55	55
Children, .....	30	54	84	36	0	5	0	3	44	40
Total, ...	118	232	350	169	2	5	2	28	206	144

On the 31st December 1853, the Adults in the Alms-House were:

	<i>Males.</i>	<i>Females.</i>
Fully able-bodied, ... ..	20	18
Capable of moderate work, ... ..	23	28
Incapable of any work, ... ..	6	9
Total, .....	49	55

In the Appendix will be found :

The Annual Report of the Alms-House.

A List of those who left it, having obtained employment.

A List of Inmates remaining at the close of the year.

A Memorandum of the work done.

The Oakum Picking Account, and

The Report of the Society's Medical Officer, Dr. R. Stuart.

## LEPER ASYLUM.

The Medical Officer of the Alms-House and Leper Asylum, has been trying the effects of a Native nut called "Chal Moograh" on one of the Lepers, and reported in November last that the experiment is progressing most favorably. He considers him to be about four-fifths cured.

The expenditure in 1853 has been as follows :

Establishment,	...	...	...	...	...	...	Co.'s Rs.	802	10	6
Dieting,	...	...	...	...	...	.....	,,	1,461	5	6
Contingencies,	...	...	...	...	...	...	,,	611	14	3
								<hr/>		
Total, Co.'s Rs.								2,875	14	3
								<hr/>		

The details of the Contingencies are :

Country Medicines, ... ..	Co.'s Rs.	180	9	3
Beetelnut, Tobacco, &c., &c., ... ..	,,	44	4	6
Cloth, ... ..	,,	111	6	0
Shoes, ... ..	,,	4	2	0
Blankets, ... ..	,,	37	2	0
White-washing, ... ..	,,	18	0	0
Funeral Charges, ... ..	,,	15	10	0
Assessment, ... ..	,,	37	8	0
Repairing Jhamps and removing Rubbish, ...	,,	15	4	0
Cots, ... ..	,,	8	9	6
Puckah Ghaut, ... ..	,,	113	15	0
Sundries, ... ..	,,	25	8	0
Total, Co.'s Rs.		611	14	3

The Innates on the 31st December were :

	Males.	Females.	Children.	Total.
Christians, ... ..	3	3	0	6
Hindoos, ... ..	25	5	0	30
Mahomedans, ... ..	14	9	0	23
Total, ... ..	42	17	0	59

And the usual Statement will be found in the Appendix, exhibiting the number of patients who entered, left, or died in the Asylum, in 1853.

## DISTRICT COMMITTEES.

The Old Church Committee intimated, that on the resignation of their Assistant Secretary and Inspector Mr. A. E. W. Forshaw, his successor Mr. W. A. Limond, who has been appointed, will from the 1st January draw 70 Rupees a month, instead of 100 Rupees allowed to Mr. Forshaw, during only his incumbency.

The usual Statements showing the amount of relief granted by the several District Committees, will be found in the Appendix.

The following Table shows the number of Out-door pensioners, and also their total monthly stipends on the 31st December 1853:

DISTRICTS.	TEMPORARY.						PERMANENT.						TOTAL.		
	Married Pensioners.			Single Pensioners.			Married Pensioners.			Single Pensioners.					
	No.	Rs.	As.	No.	Rs.	As.	No.	Rs.	As.	No.	Rs.	As.	No.	Rs.	As.
St. John's, .....	3	35	0	1	7	0	0	0	0	0	0	0	4	42	0
Old Church, ...	7	65	0	32	228	8	1	20	0	16	86	12	56	400	4
St. James', .....	0	0	0	2	5	8	0	0	0	4	14	8	6	20	0
Howrah, ... ..	1	30	0	1	16	0	2	6	0	7	12	0	11	64	0
St. Paul's, .....	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total, ...	11	130	0	36	257	0	3	26	0	27	113	4	77	526	4

And the subjoined Table shows the number of applicants for relief, who, being deemed fit cases for the Alms-House, were referred to it; indicating also the number of those who refused or accepted admittance, and those who actually entered:

DISTRICTS.	Number directed to repair to the Alms-House.	Number who refused, and to whom, therefore, no relief was afforded.	Number who consented to enter the Alms-House.	Number actually admitted into the Alms-House.	REMARKS.
St. John's, .....	21	16	5	9	Children not included.
Old Church, ...	212	105	107	99	Inclusive of families.
St. James', .....	47	36	11	23	Children not included.
Howrah, ... ..	3	3	0	0	
St. Paul's, .....	0	0	0	0	
Total, ...	283	160	123	131	

### NATIVE COMMITTEE.

The operations of the Native Committee continue to be carried on in the same way as in the year 1852. The case of every pauper requiring relief is, in the first instance, reported upon by the Reporter, and afterwards by a Member of the Committee, both visiting his domicile and making local enquiries. Upon the strength of these reports, the Committee decide, whether or not any relief should be granted.

No case is taken up unless the applicant is present, to answer such questions as may be put, with the view to elicit further information if deemed necessary.

During the past year, there were 122 applicants for relief, of whom no more than 32 could be admitted upon the pension lists for want of funds; the monthly expenditure of the Native Committee being limited to Company's Rupees 700, agreeably to a resolution passed by the Central Committee at their July meeting of 1851.

Baboo Rajender Dutt placed at the disposal of the Native Committee 400 blankets, 400 goor pots, and 800 oranges for distribution amongst the pensioners, which distribution was made on the 8th December.

The Establishment consists of:

1 Reporter at	...	...	...	...	Co.'s Rs. 32 per mensem.
1 Inspecting Jemadar at	...	...	...	..	7 ..

From the 1st of the year the services of the Inspecting Jemadar have been dispensed with, as being no longer required, and in his place a peon on Company's Rupees 5 per month, has been entertained.

The list of Pensioners, and the Statement of Accounts will be found in the Appendix.

## ANNUAL SUB-COMMITTEE.

The Stipendiary lists of the Society underwent a careful sifting in December 1852. It was therefore considered unnecessary to revise them this year again; but a *special* Sub-Committee was appointed on the 29th November last, to inquire into the Society's Expenditure under the head of Monthly Establishment. The resolution passed on the occasion was as follows: "*Resolved* to appoint a Special Sub-Committee, for the purpose of examining into the state of the Society's expenditure, as to the Establishment required for conducting the duties of each District Committee, with the view of effecting any possible *retrenchment*. The following gentlemen, *viz.* B. J. Colvin, Esq., J. H. Norman, Esq., and H. H. Withers, Esq.,—the Presidents and Secretaries of the District Committees being Ex-officio Members,—are associated as a Sub-Committee."

The Sub-Committee cheerfully undertook the task and made the following report:

The Sub-Committee, appointed by the Central Committee's Resolution, dated 29th ultimo, met at the Town Hall, on the 20th and 23rd instant, when the establishments of the several District Committees were inquired into.

		They were found to be as per margin.	
St. John's District,	Rs. 100	Observing that the monthly cost of establishment was Rupees 100 in St. John's Church District, in which in 1852, the number of applications made was 15, and relief to the amount of Rupees 359 was afforded to 32 persons; while in the St. James' Church District, the monthly cost	
* Old Church, "	" 132		
St. James', "	" 41		
Howrah, "	" 3		
Native Committee, "	" 39		
Rs. 315			

\* Reduced by the Old Church District Committee to Rupees 102 from the 1st January 1854. See page 27.

was only Rupees 41, the applications 43 in number, and relief to the amount of Rupees 891-12-6 afforded to 123 persons, it seemed to the Sub-Committee, that the establishments of the two Districts should at least be on the same scale, and that this should be effected by reducing that of St. John's. It was also considered, after some conversation with Mr. Kerr, Secretary to the St. James' District Committee, that the establishment of St. James' might safely be reduced to a consolidated allowance of Rupees 30 per mensem.

It is proposed therefore that the cost of the monthly establishment for each of the above Districts be fixed at Rupees 30.

With reference to the Old Church District, in which the applications made during 1852 were 551, and relief to the amount of Rupees 4,987-12 was afforded to 679 persons, it is the opinion of the Sub-Committee, that a monthly consolidated allowance of Rupees 70 will suffice.

There is no Establishment entertained in the St. Paul's Cathedral District: and in the Howrah District, in which the applications during 1852 were 7, and relief to the amount of Rupees 517 was afforded to 76 people, it is stated by Mr. J. Mackenzie, Secretary, that the monthly allowance of Rupees 3 will be discontinued from the 1st proximo.

The Sub-Committee do not propose that the establishment entertained by the Native Committee at a monthly cost of Rupees 39 should be interfered with. The number of applications in 1852 was 135, and relief to the amount of Rupees 7,540-8, was afforded to 3,763 people. Moreover, the sphere of its operations includes the whole of Calcutta. The Native Committee have however been requested to reduce it if possible.

The principle upon which the Sub-Committee has proceeded in framing these propositions is, that the establishments allowed should be entertained for purely ministerial purposes, such as keeping accounts, receiving applications, making records of cases, paying money, and such like, and that the services of visitorial examiners should not be paid for.

The monthly saving will thus be :

St. John's District,	..	..	..	..	..	Rs.	70
Old Church, „	..	..	..	..	..	„	62
St. James', „	..	..	..	..	..	„	11
Howrah, „	..	..	..	..	..	„	3
<hr/>							
Total monthly saving,	..	..	..	..	..	Rs.	146
Total annual saving,	..	..	..	..	..	„	1,752

On a review of the Contingent charges, it is observed that considerable expenditure is incurred for advertizing, which in the opinion of the Sub-Committee may be reduced by each Church not advertizing separately but in one general advertisement, issued under the signature of the Secretary to the Society. Bills for printing are also incurred by the several District Committees, some on cheaper terms than others. The printing should be done at the cheapest rates, and the papers should be printed for and issued by the Secretary to the Central Committee to the several District Committees, and he should likewise supply all stationery to them, so that the charges should be uniform.

There is in the St. James' District accounts a charge of Rupees 44-5-3 for Sacramental Wine during 1852, which of course should not be a debit against the Society. It is understood to have arisen from the gross Sacramental collections having been paid to the District Charitable Society without any deduction.

B. J. COLVIN,

*Chairman, Sub-Committee.*

*Calcutta, 27th December 1853.*

Their report was submitted at the Central Committee's Meeting on the 27th December last, when it was *Proposed* by Baboo Peary Chund Mitter, *Seconded* by Col. Birch, and *Resolved*: "That the report of the Sub-Committee be adopted, and that the reductions in the Establish-

“ ment of the several District Committees, with the sugges-  
 “ tions, relative to other matters, be carried out from the 1st  
 “ January next. Further, that the thanks of the Society are  
 “ due to the Sub-Committee for the trouble they have  
 “ taken.”

.

At the Annual Meeting of the District Charitable Society held in the Town Hall, on the 31st January 1854, it was *Proposed* by the Honorable the President, *Seconded* by Colonel Birch and *Resolved* that the same Sub-Committee be convened again for the purpose of inquiring into and reporting on the expenditure of the monthly Establishment of the Central Committee, and of the Alms-House and Leper Asylum, and that their Report be printed with the Annual Report.

The Sub-Committee submitted the following Report :

The Sub-Committee on monthly Establishments being re-assembled under the Central Committee's Resolution of the 31st ultimo, with the additional Members, Col. R. J. H. Birch, c. B., and W. Duncan, Esq. to inquire into and report on the expenditure for monthly Establishment for the Central Committee, the Alms-House and Leper Asylum respectively.

Also on the communication received from the Old Church Committee, with reference to the reduction suggested in the cost of Establishment in that District, met in the Town Hall, on Monday morning, the 13th instant, and report as follows :

From the papers placed on the table it is shown that the Establishment entertained by the Central Committee costs, exclusive of Rupees 100 paid to Dr. Robert Stuart, the Medical Officer of the Society,

Rupees 196 monthly, which with reference to the work done in the office in accounts, correspondence, &c. &c., does not appear susceptible of any reduction.

The Contingent Charges in 1852, amounted to Rupees 506-1-9, and in 1853 to Rupees 505-12-9, the details of which were exhibited. The only heavy item is that for the printing of the Annual Report which in 1852, cost Rupees 301-4, and in 1853, Rupees 326-12; but the Secretary Dr. Vos states that the Superintendent of the Military Orphan Press has agreed to print the Report for 1854, at a charge of 10 per Cent. below that for the last.

There is no charge for Establishment made to the following Charities, which are under the management of the Central Committee, *viz.*

Mr. English's Charity and Lady Wm. Bentinck's fund, nor under the head St. Paul's Cathedral, for realizing the collections in tickets, &c., given monthly. But the Dwarkanath Tagore Fund is charged with Rupees 12 monthly, Rupees 6 of which are paid to a peon and Rupees 5-8, to the Native writer and sircar of the Central Committee; and as a Contingent charge 8 annas a month for palankeen hire for Mr. Templeton who pays the pensioners.

In the Alms House the cost of Establishment is Rupees 300 a month, Rupees 200 being the joint pay of the Master and Matron who formerly

1 Durwan, .. .. .	6
1 Chowkeedar, .. . . .	5
1 Dhobee, .. .. .	20
4 Cooks, .. .. .	18
1 Barber, .. .. .	6
1 Bheestie, .. .. .	5
1 Fraush, .. .. .	4
1 Mally, .. .. .	4
4 Maters, .. .. .	18
1 Matranee, .. .. .	4
1 Native Reader, .. .. .	10

Rs. .... 100

received only Rupees 150. The addition of Rupees 50 a month was granted from the 1st January 1851, and for the reasons then recorded should not be withdrawn. The remaining Rupees 100 is for servants, as per margin, indispensable at such an institution; including Rupees 10 paid to a Native Christian Reader.

In the Leper Asylum the cost of Establishment is Rupees 67 monthly,

3 Cooks, .. .. .	12
1 Native Doctor, .. .. .	8
1 Sircar,.. .. .	6
1 Durwan,.. .. .	5
1 Dhobee, .. .. .	5
2 Dressers, .. .. .	10
1 Bheestie,.. .. .	4
1 Mally, .. .. .	4
1 Barber, .. .. .	2
2 Maters, .. .. .	7
1 Matrance,.. .. .	4

Rs... 67

ritable Society's Annual Reports.

as per margin. In this charge as well as in the similar one for the Alms-House, we see no reason for recommending a reduction.

• The Contingent Charges, both in the Alms-House and Leper Asylum, which vary much annually, are given in detail in the District Cha-

We next considered the communication from the Old Church Committee, dated 26th January, containing their resolution to reduce the cost of their monthly Establishment to Rupees 82 a month; instead of Rupees 70 as suggested by the Sub-Committee's Report of the 27th December last. The District Committee have drawn up a Comparative Statement of cases, &c., in the respective Districts of St. John, St. James' and their own, which we consider satisfactory, and recommend that the charge of Rupees 82 a month for Establishment be allowed.

The Revd. Mr. Hamilton, with reference to the St. John's District Monthly Establishment, reduced, as proposed by the Sub-Committee, to Rupees 30 a month, mentions that Mr. Llewelyn has resigned his situation and that he finds he cannot get a person to do the work under a monthly salary of Rupees 42. The Sub-Committee recommend that the charge of Rupees 42 a month be sanctioned.

The monthly saving in the Old Church and St. John's Church Districts will still be left.

Old Church, .. .. .	Rs. 20
St. John's, .. .. .	„ 58

B. J. COLVIN,  
*Chairman, Sub-Committee.*

CALCUTTA, }  
18th February, 1854. }

It was then *Proposed* by the Honorable the President, *Seconded* by the Lord Bishop, and *Resolved* that the Report be adopted.

From the foregoing Reports of the Sub-Committee, it will be seen that the cost of Establishments to the Society has been reduced by Co.'s Rs. 1,092, annually, and the monthly charge for Establishment of each District will be from 1st January 1854 as follows :

Central Committee, .. .. .	Rs. 196			
Dr. R. Stuart, Medical Officer, .. .. .	100			
Alms House, .. .. .	300			
Leper Asylum, .. .. .	67			
*Howrah District, .. .. .	3			
St. John's Church District, reduced				
from .. .. .	Rs. 100 to	42,	saving Rs.	58
Old Church District, ditto .. .. .	102 to	82,	" "	20
St. James' District, ditto .. .. .	41 to	30,	" "	11
Native Committee, ditto .. .. .	39 to	37,	" "	2
<hr/>				
Total Monthly .. .. .	Rs. 857,	saving Rs.	91	
Annual saving .. .. .	Rs. 1,092			

\* Mr. Mackenzie, Secretary in the Howrah District, having subsequently intimated that he must have some person to take about letters, circulars, &c., in connexion with the Charity.

## APPENDIX.



## ALMS-HOUSE.

*A List of Inmates who obtained Employment during the year 1853.*

<i>Nos.</i>	<i>Months.</i>	<i>Names.</i>	<i>Remarks.</i>
1	January,...	F. G. Stewart, ... ..	As Interpreter.
	February,..	Rozeah D'Cruz, .....	As Servant.
	March, ...	Joseph Murray,... ..	Ship's Steward.
	Ditto, .....	Margaret Trezevant, ...	As Servant.
5	Ditto, .....	Penelope Pennington,...	As House-Keeper.
	Ditto, .....	Ellen Tasker,... ..	As Nurse.
	Ditto, .....	Mary Higginson, ...	As Servant.
	April, .....	Rozeah D'Cruz, .....	As Servant.
	Ditto, .....	Amelia Burnham, ...	As Servant.
10	Ditto, .....	John Simons,... ..	As Stable-Keeper.
	Ditto, .....	Charles Johnson, ...	As Cook.
	May, .....	Jesse Aldwell, .....	As Servant.
	Ditto, .....	Caroline Carlow, ...	As Matron.
	June, .....	Anthony Gomes, .....	On Board Ship.
15	Ditto, .....	Prawukissen Mookerjea,	As Teacher.
	Ditto, .....	Ellen Tasker,... ..	As Servant.
	July, .....	Charles David Rice, ...	As Teacher.
	Ditto, .....	John Dyer, ... ..	As Sailor.
	Ditto, .....	Thomas Ormiston, ...	As Cabinet Maker.
20	Ditto, .....	Elizabeth Bissett, .....	As Servant.
	Ditto, .....	John W. O'Sullivan, ...	As School Master.
	Ditto, .....	Robert Hayton. ....	As Sailor.
	August, ...	John George Ford, ...	As Printer.
	Ditto, .....	Edward Haydon, .....	As Servant.
25	September,	Henry King, ... ..	As Assistant Steward.
	October, ...	Mary-Lessa, ... ..	As Servant.
	Ditto, .....	Joseph Alix, ... ..	As Servant.
	Ditto, .....	Anthony Gomes, .....	On Board Ship.
	November,	John Groom, ... ..	As Sailor.
30	Ditto, .....	John Joseph,... ..	As Coachman.
	December,	Mark Nofor, ... ..	As Servant.
	Ditto, .....	Catherine McNeil,.....	As Servant.
	Ditto, .....	Joseph Moss, ... ..	In the Custom House.

CALCUTTA, 31st December, 1853.	} G. STRATFORD, Master Alms-House.
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## ALMS-HOUSE.

*List of Inmates in the Alms-House, 31st December, 1853.*

Nos.	Names.	Religion.	Nos.	Names.	Religion.
MALES.			MALES.		
1	Allix, Joseph	R. C.	28	Murray, Joseph, 2nd	R. C.
	Anthony, George	Ditto.		Nicholas, George	Prot.
	Anthony, John	Ditto.	30	Pereira, John	R. C.
	Archer, Joseph Michael	Prot.		Rice, Charles David	Ditto.
5	Blake, James	Ditto.		Robinson, George	Prot.
	Bogie, William	Ditto.		Rodrigues, Isaiah	Ditto.
	D'Cruz, George	R. C.		Roobin, John	Ditto.
	D'Cruz, Jacob	Ditto.	35	Russell, Phillip	R. C.
	D'Mello, Bernard	Ditto.		Taylor, Daniel	Prot.
10	Doyle, John	Ditto.		Turner, Henry Richard	Ditto.
	Gomes, John	Ditto.		Wylie, Henry	Ditto.
	Gonsalves, Francis	Prot.	NATIVE CHRISTIANS.		
	Gunner, Charles	Ditto.		Bobby,	Prot.
	Hailes, Henry.	Ditto.		Gungaram,	Ditto.
15	Jackson, Andrew	Ditto.	40	Jacob, John	Ditto.
	Jackson, John	Ditto.		Matthew,	Ditto.
	Johnson, James	Ditto.		Ramkistno,	Ditto.
	Jones, Thomas	Ditto.	NATIVES.		
	Joseph, Serob.	Ditto.		Bolakce,	
20	Kennedy, Patrick	R. C.		Bondoo,	
	Knight, Henry	Ditto.		Gobin,	
	Knight, John	Ditto.	45	Jouth,	
	Lee, James	Prot.		Lubboo,	
	Lullham, Edward Geo.	Ditto.		Seeboosayer,	
25	McCaskill, Neil	Ditto.			
	Munton, John	Ditto.	49		
	Murray, Joseph, 1st	R. C.			

## ALMS-HOUSE.

Nos.	Names.	Religion.	Nos.	Names.	Religion.
FEMALES.			FEMALES.		
1	Anthony, Ann	R. C.	32	Rodrigues, Catherine	Prot.
	Archer, Sarah	Prot.		Saunders, Maryann	ditto.
	Burnham, Amelia	ditto.		Tasker, Ellen	ditto.
	Burnett, Ritta	ditto.	35	Williams, Louisa	ditto.
5	Carlow, Caroline	ditto.		Wolfe, Jane	ditto.
	Carlow, Mary Ann	ditto.	NATIVE CHRISTIANS.		
	Clark, Charlotte	ditto.		Ameerun,	Prot.
	Dalziel, Rosline	ditto.		Gungaram, Pinchee	ditto.
	DeCruz, Enacia	R. C.		Jacob, Sarah	ditto.
10	DeCruz, Mary Ann	ditto.		Jovenah,	ditto.
	DeMellow, Eliza	ditto.	40	Lucey,	ditto.
	DeRozario, Catherine	ditto.		Manooka,	ditto.
	DeRozario, Isabella	ditto.		Mariam,	ditto.
	DeRozario, Maria	ditto.		Peerruce,	R. C.
15	DeRozario, Sophy	ditto.		Radamony,	Prot.
	DeSouza, Feliciana	ditto.	45	Rawmony,	ditto.
	Dessa, Mary Ann	Prot.		Sofee,	R. C.
	Fenwick, Ann	ditto.	NATIVES.		
	Fleming, Ann	R. C.		Ameerun, 1st	
0	Gonsalves, Eliza	Prot.		Ameerun, 2nd	
	Gore, Charlotte	ditto.		Beemur,	
	Higgenson, Mary	R. C.	50	Nooran,	
	Knight, Anna Maria	Prot.		Pecary,	
15	McNeil, Catherine	ditto.		Piran,	
	Malden, Julia	R. C.		Puddoo,	
	Marcellina, Anna	ditto.		Toofaney,	
	Murray, Amelia	ditto.	55		
	Pereira, Elizabeth	Prot.			
30	Pereira, Louisa	R. C.			
	Pereira, Maria	Prot.			
	Pote, Elizabeth				

## ALMS-HOUSE.

Nos.	Names.	Nos.	Names.
	<b>Boys.</b>		<b>GIRLS.</b>
1	Barber, Frederick	1	D'Cruz, Caroline
	Burnham, John William		Fergusson, Jane Evelina
	Daniel,		Fleming, Anna
	D'Cruz, Alexander		Fleming, Elizabeth
5	D'Cruz, Manuel	5	Knight, Juliana
	Douglas, Domingo		Knight, Mary
	Fleming, John		Matthew, Virginia
	Fleming, James		Murray, Jokeena
	Fleming, Samuel		Pereira, Louisa
10	Gonsalves, Francis	10	Pereira, Maria
	Gonsalves, Matthew		Rodrigues Christiana
	Hoosinoo,		Wells, Georgiana
	Jacob, Moses	13	A Native Girl
	Jacob, Samuel		
15	Knight, Edward		
	Knight, Daniel		
	Knight, Francis		
	Knight, Frank		
	Maldin, Alfred		
20	Noory,		
	Pereira, Henry		
	Pereira, John		
	Pereira, Samuel		
	Powell,		
25	Rodrigues, Jeremiah		
	Wells, Henry		
	Williams, Charles		

CALCUTTA, }  
 31st December 1853.

G. STRATFORD,  
 Master, Alms-House.

## ALMS-HOUSE.

*Memorandum showing Work done by the Inmates of the Alms-House during the past year, on account of the Institution, within working hours, from 9 A. M. to 2 P. M.*

<i>Males.</i>	<i>Females.</i>
Picked 190 Maunds, 25 Seers Oakum.	Shirts, ... .. 9
	Pajamas, ... .. 39
	Petticoats, ... .. 9
	Shifts, ... .. 3
	Large Sheets, ... .. 26
	Small Sheets, ... .. 6
	Towels, ... .. 50
	Bajoos, ... .. 6
	Dhooties, ... .. 73
	Sarees, ... .. 28
	Flannel Banyans, ..... 10
	Pillow Cases, ... .. 30
	A large quantity of old clothes repaired by the Females.

CALCUTTA,  
31st December 1853.

}

G. STRATFORD,  
Master, Alms-House.

## ALMS-HOUSE.

*Memorandum of Needle-Work done by the Female inmates on their own account, after 2 P. M., from 1st January to 31st December 1853.*

<i>No.</i>	<i>Description of Work.</i>	<i>Amount.</i>		
6	Sheets, small, at 1 anna each, ... ..	0	6	0
12	Towels, at 6 annas per dozen, .....	0	6	0
5	Children's Petticoats, at 3 annas each,	0	15	0
6	Shifts, at 3 Rupees per dozen, .....	1	8	0
Total Co.'s Rs., ...		3	3	0

CALCUTTA, }  
31st December 1853. }

G. STRATFORD,  
Master, Alms-House.



ALMS-HOUSE.

To

J. G. VOS, Esq., M. D.,

*Secretary, Central Committee, District Charitable Society.*

DEAR SIR,

As requested in your note, which I received a few days ago, I have much pleasure in reporting for the information of the Central Committee, District Charitable Society, that the past year has been an unusually healthy one.

There have been some serious cases of illness, but I believe the mortality to have been less than in any former year.

I have the honor to be,

Sir,

Your obedient Servant,

R. STUART, M. D.,

*Medical Officer, in Charge of the  
Alms-House and Leper Asylum.*

CALCUTTA, }  
7th January 1854.

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# ACCOUNTS.

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## CENTRAL COMMITTEE.

*Abstract Statement showing the amount of Relief afforded in each Month, from the 1st January to the 31st December 1853.*

MONTHS.	PENSIONS CONTINUED FROM PREVIOUS MONTHS.		PENSIONS PAID FOR THE FIRST TIME.		OCCASIONAL RELIEF.		TOTAL RELIEF AFFORDED.						Amount paid.	
	Number of persons.	Amount paid.	Number of persons.	Amount paid.	Number of persons.	Amount paid.	Euro-pean.		East Indians.		Natives.	Grand Total.		
							M.	F.	M.	F.		M.		F.
January, .....	18	...	...	...	...	...	...	...	...	...	...	...	...	...
February, .....	13	...	...	...	...	...	...	...	...	...	...	...	...	...
March, .....	15	...	...	...	...	...	...	...	...	...	...	...	...	...
April, .....	23	...	...	...	...	...	...	...	...	...	...	...	...	...
May, .....	15	...	...	...	...	...	...	...	...	...	...	...	...	...
June, .....	17	...	...	...	...	...	...	...	...	...	...	...	...	...
July, .....	15	...	...	...	...	...	...	...	...	...	...	...	...	...
August, .....	17	...	...	...	...	...	...	...	...	...	...	...	...	...
September, .....	12	...	...	...	...	...	...	...	...	...	...	...	...	...
October, .....	17	...	...	...	...	...	...	...	...	...	...	...	...	...
November, .....	20	...	...	...	...	...	...	...	...	...	...	...	...	...
December, .....	13	...	...	...	...	...	...	...	...	...	...	...	...	...
St. Paul's Cathedral, .....	195	...	...	...	...	...	...	...	...	...	...	...	...	...
Lady William Bentinck's Fund, .....	...	...	...	...	...	...	7	...	3	5	1	1	6	100 0 0
Barrackpore and Calcutta, .....	...	...	...	...	...	...	...	...	...	14	192	142	192	554 5 0
	195	...	...	...	...	...	7	...	3	19	193	143	203	654 5 0

## ST. JOHN'S CHURCH DISTRICT.

*Abstract Statement of Receipts and Disbursements, from the 1st January to the 31st December, 1853.*

MONTHS.	TO RECEIPTS.		BY DISBURSEMENTS.					
	Congrega- tional Col- lections & Donations.	Total.	Central Committee.	Relief afforded.	Estab- lish- ment.	Contingent Expenses.	Total.	
Balance of last year's account, .....	.....	2276 4 3	.....	.....	.....	.....	.....	.....
January, .....	305 14 6	305 14 6	.....	71 0 0	100 0 0	1 6 0	172 6 0	.....
February, .....	96 6 6	96 6 6	.....	122 0 0	100 0 0	10 2 0	232 2 0	.....
March, .....	531 2 6	531 2 6	291 13 3	48 0 0	100 0 0	11 14 9	451 12 0	.....
April, .....	81 11 0	81 11 0	177 7 9	60 0 0	100 0 0	.....	337 7 9	.....
May, .....	46 10 6	46 10 6	.....	54 0 0	100 0 0	.....	154 0 0	.....
June, .....	131 12 6	131 12 6	.....	54 0 0	100 0 0	12 6 0	166 6 0	.....
July, .....	87 10 6	87 10 6	.....	62 0 0	100 0 0	1 0 0	163 0 0	.....
August, .....	96 7 0	96 7 0	.....	63 0 0	100 0 0	4 0 0	167 0 0	.....
September, .....	54 10 6	54 10 6	.....	74 0 0	100 0 0	1 0 0	175 0 0	.....
October, .....	103 9 0	103 9 0	.....	58 0 0	100 0 0	.....	158 0 0	.....
November, .....	84 0 0	84 0 0	.....	32 0 0	100 0 0	1 2 0	133 2 0	.....
December, .....	522 2 3	522 2 3	.....	57 0 0	100 0 0	1 2 0	158 2 0	.....
	2142 0 9	4418 5 0	469 5 0	755 0 0	1200 0 0	44 0 9	2468 5 9	.....



# OLD CHURCH DISTRICT.

*Abstract Statement of Receipts and Disbursements, from the 1st January to the 31st December 1853.*

MONTHS.	TO RECEIPTS.			BY DISBURSEMENTS.				
	Congrega- tional Col- lections & Donations.	Central Committee.	Total.	Relief Afforded.	Estab- lish- ment.	Contingent Expenses.	Total.	
Balance of last year's account, .....	.....	.....	714	6	.....	.....	.....	
January, .....	311	14	0	311	14	0	625	
February, .....	202	0	6	502	0	6	604	
March, .....	340	2	0	840	2	0	592	
April, .....	201	8	3	201	8	3	562	
May, .....	211	6	3	711	6	3	564	
June, .....	173	8	6	573	8	6	585	
July, .....	220	5	0	620	5	0	589	
August, .....	204	14	3	604	14	3	567	
September, .....	226	1	0	426	1	0	585	
October, .....	192	9	6	392	9	6	590	
November, .....	168	4	0	568	4	0	590	
December, .....	437	2	3	837	2	3	612	
	2889	11	6	7304	2	0	7071	
				5389	15	0	98	
				1584	0	0	0	
				15	0	0	0	
				7071	15	0	0	

# OLD CHURCH DISTRICT.

*Abstract Statement showing the amount of Relief afforded in each Month, from the 1st January to the 31st December 1853.*

MONTHS.	Number of Appli- cations made.	PENSIONS CONTI- NUED FROM FOR- MER MONTHS.		PENSIONS PAID FOR THE FIRST TIME.		OCCASIONAL RELIEF.		TOTAL RELIEF AFFORDED.								Amount paid.
		Number of persons.	Amount paid.	Number of persons.	Amount paid.	Number of persons.	Amount paid.	Euro- peans.		East Indians.		Natives.		Grand Total.		
								M.	F.	M.	F.	M.	F.	M.	F.	
January, .....	56	50	373 12 0	4	47 0 0	10	64 0 0	2	...	24	38	...	26	...	38	484 12 0
February, .....	58	50	389 12 0	2	7 0 0	13	74 0 0	5	...	26	34	...	31	...	34	470 12 0
March, .....	50	43	349 0 0	1	6 0 0	11	94 3 0	1	...	20	34	...	27	...	34	449 3 0
April, .....	52	42	349 0 0	3	24 8 0	12	51 12 0	3	...	21	33	...	24	...	33	425 4 0
May, .....	50	45	373 8 0	2	8 8 0	6	45 8 0	3	...	18	32	...	21	...	32	427 8 0
June, .....	50	46	376 0 0	3	29 0 0	5	29 8 0	1	...	20	33	...	21	...	33	434 8 0
July, .....	52	43	350 8 0	5	50 0 0	9	42 0 0	2	...	21	34	...	23	...	34	442 8 0
August, .....	52	47	394 8 0	3	17 0 0	8	19 0 0	1	1	19	37	...	20	...	38	430 8 0
September, ....	50	47	381 8 0	3	35 0 0	5	32 8 0	1	...	18	36	...	19	...	36	449 0 0
October, .....	50	47	380 8 0	1	8 0 0	6	65 0 0	3	...	18	33	...	21	...	33	453 8 0
November, .....	54	50	381 4 0	2	15 0 0	6	57 0 0	1	...	21	36	...	22	...	36	453 4 0
December, .....	50	51	368 12 0	5	31 8 0	7	69 0 0	1	...	20	42	...	21	...	42	469 4 0
	624	561	4468 0 0	34	278 8 0	98	643 7 0	24	1	246	422	...	270	...	423	3389 15 0

## ST. JAMES' CHURCH DISTRICT.

*Abstract Statement of Receipts and Disbursements, from 1st January to the 31st December 1853.*

MONTHS.	TO RECEIPTS.			BY DISBURSEMENTS.			
	Congrega- tional Col- lections & Donations.	Central Committee.	Total.	Relief afforded.	Estab- lish- ment.	Contingent Expenses.	Total.
Balance of last year's account ,.....	.....	.....	324 15 3	.....	.....	.....	.....
January, .....	94 4 6	.....	94 4 6	70 0 0	41 0 0	.....	111 0 0
February, .....	115 8 6	.....	115 8 6	54 0 0	41 0 0	4 6	95 4 6
March, .....	294 5 9	.....	294 5 9	53 0 0	41 0 0	.....	94 0 0
April,.....	111 4 6	.....	111 4 6	46 0 0	41 0 0	41 0 0	128 0 0
May, .....	164 5 0	.....	164 5 0	41 8 0	41 0 0	3 8 0	86 0 0
June, .....	80 8 0	.....	80 8 0	58 0 0	41 0 0	.....	99 5 0
July, .....	79 12 6	.....	79 12 6	63 8 0	41 0 0	2 12 0	107 4 0
August, .....	77 10 6	.....	77 10 6	79 0 0	41 0 0	.....	120 12 6
September, .....	86 12 6	.....	86 12 6	84 0 0	41 0 0	.....	125 0 0
October, .....	76 11 0	.....	76 11 0	77 0 0	41 0 0	.....	118 0 0
November, .....	117 8 6	.....	117 8 6	84 0 0	41 0 0	.....	125 0 0
December, .....	383 10 6	.....	383 10 6	94 0 0	41 0 0	5 0	135 5 0
	1682 5 9	.....	2007 5 0	804 0 0	492 0 0	48 15 0	1344 15 0

## ST. JAMES' CHURCH DISTRICT.

*Abstract Statement showing the amount of Relief afforded in each Month, from the 1st January to the 31st December 1853.*

MONTHS.	Number of Applications made.	PENSIONS CONTINUED FROM PREVIOUS MONTHS.				PENSIONS PAID FOR THE FIRST TIME.		OCCASIONAL RELIEF.		TOTAL RELIEF AFFORDED.									
		Number of persons.	Amount paid.	Number of persons.	Amount paid.	Number of persons.	Amount paid.	Euro-peans.	East Indians.	Natives.		Grand Total.	Amount paid.						
										M.	F.								
														M.	F.				
January, .....	4	7	36	0	0	1	12	0	0	...	...	7	1	3	1	10	70	0	0
February, .....	3	8	48	0	0	.....	...	0	0	...	...	6	1	3	1	9	54	0	0
March, .....	3	8	48	0	0	.....	...	0	0	...	...	5	1	3	1	8	53	0	0
April, .....	4	6	20	0	0	.....	...	0	0	...	...	4	1	3	2	7	46	0	0
May, .....	1	6	20	0	0	.....	...	0	0	...	...	4	2	3	2	7	41	8	0
June, .....	7	6	20	0	0	.....	...	0	0	...	...	5	2	3	3	8	58	0	0
July, .....	1	6	20	0	0	.....	...	0	0	...	...	7	1	3	1	10	63	8	0
August, .....	.....	6	20	0	0	.....	...	0	0	...	...	7	1	3	2	10	79	0	0
September, .....	3	6	20	0	0	.....	...	0	0	1	...	6	1	3	3	9	84	0	0
October, .....	2	6	20	0	0	.....	...	0	0	1	...	5	1	3	3	8	77	0	0
November, .....	3	6	20	0	0	.....	...	0	0	...	...	6	1	3	2	9	84	0	0
December, .....	2	6	20	0	0	.....	...	0	0	...	...	2	6	1	3	9	94	0	0
	33	77	312	0	0	1	12	0	0	2	...	8	68	14	36	24	104	804	0

# HOWRAH DISTRICT.

*Abstract Statement of Receipts and Disbursements, from the 1st January to the 31st December 1853.*

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MONTHS.	TO RECEIPTS.			BY DISBURSEMENTS.			
	Congrega- tional Col- lections & Donations.	Central Committee.	Total.	Relief afforded	Estab- lish- ment.	Contingent Expenses.	Total.
Balance of last year's account, .....	.....	.....	359 7 3	.....	.....	.....	.....
January, .....	48 12 0	.....	48 12 0	69 0 0	3 0 0	.....	72 0 0
February, .....	29 8 0	.....	29 8 0	66 0 0	3 0 0	.....	69 0 0
March, .....	122 10 0	.....	122 10 0	91 8 0	3 0 0	.....	94 8 0
April, .....	45 2 0	.....	45 2 0	71 8 0	3 0 0	.....	74 8 0
May, .....	30 12 0	.....	30 12 0	71 0 0	3 0 0	.....	74 0 0
June, .....	71 0 0	.....	71 0 0	81 0 0	3 0 0	.....	84 0 0
July, .....	92 8 0	.....	92 8 0	69 0 0	3 0 0	.....	72 0 0
August, .....	.....	.....	.....	69 0 0	3 0 0	.....	72 0 0
September, .....	58 2 0	.....	58 2 0	64 0 0	3 0 0	.....	67 0 0
October, .....	64 0 0	.....	64 0 0	64 0 0	3 0 0	.....	67 0 0
November, .....	89 14 0	.....	89 14 0	64 0 0	3 0 0	.....	67 0 0
December, .....	44 10 0	.....	44 10 0	64 0 0	3 0 0	.....	67 0 0
	696 14 0	.....	1056 5 3	844 0 0	36 0 0	.....	880 0 0

## HOWRAH DISTRICT.

*Abstract Statement showing the amount of Relief afforded in each Month, from the 1st January to the 31st December 1853.*

MONTHS.	Number of Appli- cations made.	PENSIONS CONTI- NUED FROM FOR- MER MONTHS.			PENSIONS PAID FOR THE FIRST TIME.			OCCASIONAL RELIEF.		TOTAL RELIEF AFFORDED.								Amount paid.
		Number of persons.	Amount paid.	Number of persons.	Amount paid.	Number of persons.	Amount paid.	Euro- peans.	East Indians.	Natives.	Grand Total.							
M.	F.	M.	F.	M.	F.	M.	F.											
January, .....	...	13	66 0 0	.....	...	2	3 0 0	1	...	1	2	1	10	3	12	69 0 0		
February, .....	...	13	66 0 0	1	6 0 0	.....	...	1	...	1	1	...	10	2	11	66 0 0		
March, .....	...	11	64 8 0	.....	...	2	21 0 0	1	...	1	3	2	7	4	10	91 8 0		
April, .....	...	12	70 8 0	.....	...	1	1 0 0	1	...	1	2	2	7	4	9	71 8 0		
May, .....	...	12	71 0 0	.....	...	1	1 0 0	1	...	1	3	2	6	4	9	71 0 0		
June, .....	2	13	70 0 0	.....	...	3	11 0 0	1	1	2	2	3	7	6	10	81 0 0		
July, .....	...	11	64 0 0	.....	...	1	5 0 0	1	1	1	2	1	6	3	9	69 0 0		
August, .....	...	11	64 0 0	.....	...	1	5 0 0	1	1	1	1	1	7	3	9	69 0 0		
September, .....	...	12	64 0 0	.....	...	.....	...	1	...	1	1	1	8	3	9	64 0 0		
October, .....	...	12	64 0 0	.....	...	.....	...	1	...	1	1	1	8	3	9	64 0 0		
November, .....	...	12	64 0 0	.....	...	.....	...	1	...	1	1	1	8	3	9	64 0 0		
December, .....	...	11	64 0 0	.....	...	.....	...	1	...	1	1	1	7	3	8	64 0 0		
	2	143	792 0 0	1	6 0 0	11	47 0 0	12	3	13	20	16	91	41	114	844 0 0		

## NATIVE COMMITTEE.

*Abstract Statement of Receipts and Disbursements, from the 1st January to the 31st December 1853.*

MONTHS.	TO RECEIPTS.		BY DISBURSEMENTS.				
	From the Central Committee.	Total.	Relief afforded.	Establishment.	Contingent Expenses.	Total.	
Balance of last year's account,.....	.....	130 7 9	.....	.....	.....	.....	
January, .....	700 0 0	700 0 0	655 0 0	39 0 0	.....	694 0 0	
February,.....	700 0 0	700 0 0	659 0 0	39 0 0	.....	698 0 0	
March,.....	700 0 0	700 0 0	650 0 0	39 0 0	3 14 0	692 14 0	
April, .....	700 0 0	700 0 0	650 0 0	39 0 0	.....	689 0 0	
May,.....	700 0 0	700 0 0	674 8 0	39 0 0	.....	713 8 0	
June,.....	700 0 0	700 0 0	668 0 0	39 0 0	.....	707 0 0	
July,.....	700 0 0	700 0 0	670 8 0	39 0 0	0 2 0	709 10 0	
August, .....	700 0 0	700 0 0	682 0 0	39 0 0	.....	721 0 0	
September, .....	700 0 0	700 0 0	664 0 0	39 0 0	.....	703 0 0	
October, .....	700 0 0	700 0 0	663 0 0	39 0 0	.....	702 0 0	
November, .....	700 0 0	700 0 0	662 0 0	39 0 0	.....	701 0 0	
December, .....	700 0 0	700 0 0	657 8 0	39 0 0	.....	696 8 0	
	8400 0 0	8530 7 9	7955 8 0	468 0 0	4 0 0	8427 8 0	



# DWARKANATH TAGORE'S FUND FOR BLIND POOR.

*Abstract Statement of Receipts and Disbursements, from the 1st January to the 31st December 1853.*

MONTHS.	TO RECEIPTS.		BY DISBURSEMENTS.			
	From the Trustees.	Total.	Relief afforded.	Establishment.	Contingent Expenses.	Total.
Balance of last year's account.....	.....	740 9 3	.....	.....	.....	.....
January, .....	500 0 0	500 0 0	473 0 0	11 8 0	0 8 0	485 0 0
February, .....	.....	.....	468 8 0	11 8 0	0 8 0	480 8 0
March, .....	1000 0 0	1000 0 0	475 8 0	11 8 0	1 2 0	488 2 0
April, .....	.....	.....	475 8 0	11 8 0	1 2 0	488 2 0
May, .....	340 0 0	340 0 0	462 8 0	11 8 0	0 8 0	474 8 0
June, .....	500 0 0	500 0 0	469 8 0	11 8 0	0 8 0	481 8 0
July, .....	500 0 0	500 0 0	460 0 0	11 8 0	0 11 0	472 3 0
August, .....	500 0 0	500 0 0	474 0 0	11 8 0	0 8 0	486 0 0
September, .....	1000 0 0	1000 0 0	475 0 0	11 8 0	0 8 0	487 0 0
October, .....	.....	.....	464 8 0	11 8 0	0 8 0	476 8 0
November, .....	500 0 0	500 0 0	469 0 0	11 8 0	0 8 0	481 0 0
December, .....	500 0 0	500 0 0	470 8 0	11 8 0	0 8 0	482 8 0
	5340 0 0	6080 9 3	5637 8 0	138 0 0	7 7 0	5782 15 0

# DWARKANATH TAGORE'S FUND FOR BLIND POOR.

*Abstract Statement showing the amount of Relief afforded in each Month, from the 1st January to the 31st December 1853.*

MONTHS.	PENSIONERS CONTINUED FROM FORMER MONTHS.			PENSIONS PAID FOR THE FIRST TIME.			PENSIONERS ABSENT LAST MONTH.			TOTAL RELIEF AFFORDED.					
	Number of persons.	Amount paid.	Number of persons.	Amount paid.	Number of persons.	Amount paid.	Euro-peans.		East Indians.		Natives.		Grand Total.	Amount paid.	
							M.	F.	M.	F.	M.	F.			M.
January, .....	210	465 8 0	.....	...	3	7 8 0	...	...	...	...	148 65	148 65	473 0 0		
February, .....	205	455 0 0	1	2 8 0	4	11 0 0	...	...	...	...	146 64	146 64	468 8 0		
March, .....	205	456 8 0	6	12 0 0	3	7 0 0	...	...	...	...	143 71	143 71	475 8 0		
April, ....	212	469 8 0	.....	...	3	6 0 0	...	...	...	...	145 70	145 70	475 8 0		
May, .....	207	457 8 0	.....	...	2	5 0 0	...	...	...	...	140 69	140 69	462 8 0		
June, .....	207	457 0 0	.....	...	6	12 8 0	...	...	...	...	142 71	142 71	469 8 0		
July, .....	200	443 0 0	4	8 0 0	4	9 0 0	...	...	...	...	141 67	141 67	460 0 0		
August, .....	206	455 0 0	.....	...	9	19 0 0	...	...	...	...	147 68	147 68	474 0 0		
September, .....	209	462 0 0	.....	...	6	13 0 0	...	...	...	...	148 67	148 67	475 0 0		
October, .....	205	451 8 0	4	9 0 0	2	4 0 0	...	...	...	...	145 66	145 66	464 8 0		
November, .....	208	458 0 0	1	2 8 0	4	8 8 0	...	...	...	...	145 68	145 68	469 0 0		
December, .....	209	461 8 0	.....	...	4	9 0 0	...	...	...	...	149 64	149 64	470 8 0		
	2483	5492 0 0	16	34 0 ...	50	111 8 0	...	...	...	...	1739 810	1739 810	5637 8 0		

## MRS. ENGLISH'S CHARITY.

*Abstract Statement of Receipts and Disbursements, from the 1st January to the 31st December 1853.*

MONTHS.	TO RECEIPTS.		BY DISBURSEMENTS.			
	From the Trustees.	Total.	Relief afforded.	Establishment.	Contingent Expenses.	Total.
Balance of last year's account, .....	....	308 1 6	....	....	....	....
January, .....	46 0 0	46 0 0	306 9 9	....	....	306 9 9
February, .....	42 0 0	42 0 0	46 0 0	....	....	46 0 0
March, .....	295 0 0	295 0 0	42 0 0	....	....	42 0 0
April, .....	27 0 0	27 0 0	265 3 6	....	0 2 6	265 6 0
May, .....	42 0 0	42 0 0	42 0 0	....	....	42 0 0
June, .....	250 0 0	250 0 0	42 0 0	....	....	42 0 0
July, .....	38 0 0	38 0 0	260 15 3	....	....	260 15 3
August, .....	42 0 0	42 0 0	42 0 0	....	....	42 0 0
September, .....	261 0 0	261 0 0	42 0 0	....	....	42 0 0
October, .....	42 0 0	42 0 0	252 6 9	....	....	252 6 9
November, .....	42 0 0	42 0 0	42 0 0	....	....	42 0 0
December, .....	250 0 0	250 0 0	42 0 0	....	....	42 0 0
	1377 0 0	1685 1 6	1425 3 3	....	0 2 6	1425 5 9

## MRS. ENGLISH'S CHARITY.

*Abstract Statement showing the amount of Relief afforded in each Month, from the 1st January to the 31st December 1853.*

MONTHS.	MONTHLY PENSIONERS.		PENSIONS PAID FOR THE FIRST TIME.		QUARTERLY PENSIONERS.		TOTAL RELIEF AFFORDED.							
	Number of persons.	Amount paid.	Number of persons.	Amount paid.	Number of persons.	Amount paid.	Euro-peans.		East Indians.		Natives.		Grand Total.	
							M.	F.	M.	F.	M.	F.	M.	F.
January, .....	9	46 0 0	....	0 0 0	16	260 9 9	..	..	2	20	1	2	22	306 9 9
February, .....	9	46 0 0	....	0 0 0	0	0 0 0	..	..	1	8	0	0	1	8 46 0 0
March, .....	8	42 0 0	....	0 0 0	0	0 0 0	..	..	1	7	0	0	1	7 42 0 0
April, .....	8	42 0 0	....	0 0 0	13	223 3 6	..	..	2	16	1	2	3	18 265 3 6
May, .....	8	42 0 0	..	0 0 0	0	0 0 0	..	..	1	7	0	0	1	7 42 0 0
June, .....	8	42 0 0	....	0 0 0	0	0 0 0	..	..	1	7	0	0	1	7 42 0 0
July, .....	8	42 0 0	....	0 0 0	13	218 15 3	..	..	2	16	1	2	3	18 260 15 3
August, .....	8	42 0 0	....	0 0 0	0	0 0 0	..	..	1	7	0	0	1	7 42 0 0
September, .....	8	42 0 0	....	0 0 0	0	0 0 0	..	..	1	7	0	0	1	7 42 0 0
October, .....	8	42 0 0	....	0 0 0	12	210 6 9	..	..	2	15	1	2	3	17 252 6 9
November, .....	8	42 0 0	....	0 0 0	0	0 0 0	..	..	1	7	0	0	1	7 42 0 0
December, .....	8	42 0 0	....	0 0 0	0	0 0 0	..	..	1	7	0	0	1	7 42 0 0
	98	512 0 0	....	0 0 0	54	913 3 3	..	..	16	124	4	8	20	132 1425 3 3

## LEPER ASYLUM.

*Abstract Statement of Receipts and Disbursements, from the 1st January to the 31st December 1853.*

MONTHS.	TO RECEIPTS.			BY DISBURSEMENTS.				
	From the Central Committee.	Subscrip- tions and Donations.	Total.	Dieting.	Establish- ment.	Contingent Expenses.	Total.	
Balance of last year's account, .....	....	.....	8 11 6	.....	.....	.....	.....	
January, .....	202 0 0	11 0 0	213 0 0	108 9 0	67 0 0	30 12 0	206 5 0	
February,.....	215 0 0	11 0 0	226 0 0	105 4 3	67 0 0	44 9 6	216 13 9	
March, .....	206 0 0	8 0 0	214 0 0	118 5 6	67 0 0	22 13 9	208 3 3	
April, .....	217 0 0	8 0 0	225 0 0	112 5 3	67 0 0	32 9 9	211 15 0	
May, .....	205 0 0	5 0 0	210 0 0	115 0 6	67 0 0	21 8 0	203 8 6	
June,.....	380 15 0	8 0 0	388 15 0	112 8 6	67 0 0	197 5 0	376 13 6	
July, .....	208 0 0	8 0 0	216 0 0	117 8 6	67 0 0	32 9 9	217 2 3	
August, .....	219 0 0	11 0 0	230 0 0	126 13 3	67 0 0	22 4 0	216 1 3	
September, .....	223 0 0	3 0 0	226 0 0	131 4 3	67 0 0	27 6 6	225 10 9	
October, .....	228 0 0	13 0 0	241 0 0	135 12 3	65 10 6	27 15 0	229 5 9	
November, .....	277 0 0	8 0 0	285 0 0	131 12 9	67 0 0	62 15 6	261 12 3	
December, .....	287 0 0	8 0 0	295 0 0	146 1 6	67 0 0	89 1 6	302 3 0	
2867	15 0	102 0 0	2978 10 6	1461 5 6	802 10 6	611 14 3	2875 14 3	

## LEPER ASYLUM.

*Abstract Statement showing the Amount of Dieting in each Month from 1st January to the 31st December 1853.*

MONTHS.	Inmates.	Europeans.		East Indians.		Natives.		Grand Total.		Dieting Charges.		
		M.	F.	M.	F.	M.	F.	M.	F.			
January, .....	42	.....	.....	6	2	23	11	29	13	108	9	0
February, .....	46	.....	.....	5	3	26	12	31	15	105	4	3
March, .....	49	.....	.....	4	3	29	13	33	16	118	5	6
April, .....	49	.....	.....	4	3	29	13	33	16	112	5	3
May, .....	49	.....	.....	3	3	30	13	33	16	115	0	6
June, .....	51	.....	.....	3	2	33	13	36	15	112	8	6
July, .....	52	.....	.....	2	2	34	14	36	16	117	8	6
August, .....	56	.....	.....	3	2	37	14	40	16	126	13	3
September, .....	60	.....	.....	3	3	39	15	42	18	131	4	3
October, .....	60	.....	.....	4	3	39	14	43	17	135	12	3
November, .....	59	.....	.....	3	3	40	13	43	16	131	12	9
December, .....	61	.....	.....	3	3	40	15	43	18	146	1	6
	634	.....	.....	43	32	399	160	442	192	1461	5	6

*Annual Report of the Calcutta LEPRO ASYLUM, from 1st January to 31st December 1853.*

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MONTHS.	Admitted.			Re-admitted.			Total.			Discharged.			Absconded.			Expelled.			Deaths.			Total.			Remaining on 31st December 1853.			Total.
	Males.	Females.	Children.	Males.	Females.	Children.	Males.	Females.	Children.	Males.	Females.	Children.	Males.	Females.	Children.	Males.	Females.	Children.	Males.	Females.	Children.	Males.	Females.	Children.	Males.	Females.	Children.	
Remain on 31st December 1852,	1	1	...	...	...	...	32	13	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	45
January, .....	5	1	4	...	...	...	5	1	4	...	...	...	...	...	...	...	...	...	3	...	...	...	...	...	...	...	...	44
February, .....	6	1	3	5	1	...	10	1	2	...	...	...	5	...	...	...	...	...	2	...	...	...	...	...	...	...	...	46
March, .....	2	1	1	...	...	...	9	1	2	...	...	...	4	...	...	...	...	...	...	...	...	...	...	...	...	...	...	50
April, .....	5	2	1	...	...	...	2	1	1	...	...	...	2	1	...	...	...	...	2	...	...	...	...	...	...	...	...	48
May, .....	3	2	1	...	...	...	6	2	4	2	...	...	1	...	...	...	...	...	1	...	...	...	...	...	...	...	...	51
June, .....	3	...	2	1	...	...	5	1	2	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	54
July, .....	4	3	...	3	...	...	7	...	1	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	59
August, .....	3	3	...	3	...	...	6	3	2	1	...	...	1	...	...	...	...	...	4	1	...	...	...	...	...	...	...	59
September, .....	5	...	1	...	...	...	6	...	4	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	61
October, .....	5	...	1	2	...	...	6	2	2	2	...	...	4	...	...	...	...	...	...	...	...	...	...	...	...	...	...	61
November, .....	3	1	1	...	...	...	4	1	2	1	1	2	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	59
December, .....	47	9	1	24	4	...	103	26	1	27	6	1	20	1	...	...	...	...	14	2	...	...	...	...	...	...	...	59
Total, .....	47	9	1	24	4	...	103	26	1	27	6	1	20	1	...	...	...	...	14	2	...	...	...	...	...	...	...	59

G. STRATFORD,

*Supt. Leprosy Asylum.*

*Calcutta, 31st December 1853.*

# ALMS-HOUSE.

*Abstract Statement of Receipts and Disbursements, from the 1st January to the 31st December 1853.*

MONTHS.	TO RECEIPTS.		BY DISBURSEMENTS.				
	Central Committee.	Total.	Dieting.	Establishment.	Contingent Expenses.	Total.	
Balance of last year's account,.....	.....	28 0 0	.....	.....	.....	.....	
January, .....	695 0 0	695 0 0	368 7 0	300 0 0	54 8 9	722 15 9	
February,.....	744 0 0	744 0 0	347 6 9	300 0 0	95 3 0	742 9 9	
March, .....	717 0 0	717 0 0	337 7 0	296 8 0	54 4 0	688 13 0	
April,.....	701 0 0	701 0 0	331 10 0	298 9 6	70 2 9	700 6 3	
May, .....	667 0 0	667 0 0	338 14 6	300 0 0	43 2 0	682 0 6	
June,.....	772 0 0	772 0 0	378 13 3	300 0 0	81 11 3	760 8 6	
July, .....	820 0 0	820 0 0	371 8 6	300 0 0	166 9 9	838 2 3	
August, .....	741 0 0	741 0 0	374 9 0	300 0 0	33 8 9	708 1 9	
September, .....	738 0 0	738 0 0	399 6 0	300 0 0	58 4 6	757 10 6	
October, .....	747 0 0	747 0 0	427 4 0	300 0 0	41 4 0	768 8 0	
November, .....	826 0 0	826 0 0	433 6 6	298 1 3	89 1 0	820 8 9	
December, .....	801 0 0	801 0 0	449 11 6	300 0 0	55 0 0	804 11 6	
	8969 0 0	8997 0 0	4558 8 0	3593 2 9	843 5 9	8995 0 6	

## ALMS-HOUSE.

*Abstract Statement showing the Amount of Dieting in each Month, from the 1st January to the 31st December 1853.*

MONTHS.	Inmates.	Europeans.		East Indians.		Natives.		Grand Total.		Dieting Charges.
		M.	F.	M.	F.	M.	F.	M.	F.	
January, .....	119	12	6	39	39	10	13	61	58	368 7 0
February, .....	115	8	7	41	34	11	14	60	55	347 6 9
March, .....	105	8	7	34	31	11	14	53	52	337 7 0
April, .....	104	7	7	36	25	13	16	56	48	331 10 0
May, .....	107	13	8	32	28	12	14	57	50	338 14 6
June, .....	119	16	8	38	29	14	14	68	51	378 13 3
July, .....	115	12	9	41	26	12	15	65	50	371 8 6
August, .....	119	11	8	39	32	12	17	62	57	374 9 0
September, .....	125	12	6	44	33	12	18	68	57	399 6 0
October, .....	131	13	7	44	37	14	16	71	60	427 4 0
November, .....	136	11	6	44	42	16	17	71	65	483 6 6
December, .....	140	11	6	46	44	17	16	74	66	449 11 6
	1435	134	85	478	400	154	184	766	669	4558 8 0

*General Abstract Statement of Total Receipts and Disbursements in each Month, from the 1st January to the 31st December 1853.*

( 69 )

MONTHS.	TO RECEIPTS.					BY DISBURSEMENTS.							
	Subscriptions.	Congregational Collec- tions and Donations.	Monthly Donation from the Supreme Govern- ment.	Dwarkanath Tagore's Fund.	Mrs. English's Charity.	Government Secu- rities.		Relief afforded.	Establishment.	Contingent Expenses.	Total.		
						Interest.	On transfer.						
Balance of last year's ac- count, ... ..	...	...	...	...	...	...	...	11678	2	1	...		
January, ... ..	150 0 0	760 13 0	1200 0 0	500 0 0	46 0 0	66 8 0	...	27 3 5	0	115	1 9 3710 15 6		
February, ... ..	234 0 0	879 14 10	1200 0 0	0 0 0	42 0 0	...	...	2335 14 10	989 8 0	179 5 3	3507 12 3		
March, ... ..	533 0 0	1821 12 10	1200 0 0	1000 0 0	295 0 0	...	...	1809 12 10	956 0 0	60 2 6	3390 2 0		
April, ... ..	317 0 0	459 3 9	1200 0 0	0 0 0	27 0 0	8 0	...	243 11 9	958 1 6	152 2 9	3577 11 0		
May, ... ..	813 0 0	5228 8 2	1200 0 0	340 0 0	42 0 0	...	...	7723 8 2	989 5 0	135 8 9	3632 15 9		
June, ... ..	317 0 0	696 13 0	1200 0 0	500 0 0	250 0 0	...	...	2573 13 0	989 8 0	318 4 3	3606 2 0		
July, ... ..	136 0 0	530 4 0	1200 0 0	500 0 0	38 0 0	...	...	2104 4 0	989 8 0	220 4 0	3727 4 3		
August, ... ..	746 0 0	1190 3 3	1200 0 0	500 0 0	42 0 0	8 0	...	1014 11 3	989 5 0	94 5 3	3425 11 6		
September, ... ..	492 0 0	725 10 0	1200 0 0	1000 0 0	261 0 0	...	...	3678 10 0	989 5 0	13 11 9	3465 14 0		
October, ... ..	403 0 0	456 13 6	1200 0 0	0 0 0	42 0 0	...	...	2081 13 6	988 2 6	93 10 9	3677 4 3		
November, ... ..	218 0 0	465 10 6	1200 0 0	500 0 0	42 0 0	...	62 19 11	2488 5 5	987 9 3	139 6 6	3518 7 6		
December, ... ..	356 0 0	1528 12 6	1200 0 0	500 0 0	259 0 0	...	...	3431 12 6	959 8 0	137 10 6	3567 3 6		
St. Paul's Cathedral, ... ..	4765 0 0	15034 7	41400 0	6340 0	1377 0	0 199	8 0	10 11 2556	12 4	2589 15 9	11865 13 3	2163 10	0 42860 7 0
Lady William Bentinck's Fund, Barrackpore and Calcutta, ... ..	...	...	...	...	...	...	...	1086 8 0	...	...	...	...	3 3 100 3 3
...	...	...	...	...	...	...	...	561 4 0	...	...	...	...	554 5 0
...	4765 0 0	15034 7	41400 0	6340 0	1377 6	0 199	8 0	10 11 55104	5 4	20455 4 9	11865 13 3	2163 13	3 49514 15 3

J. GREGORY VOS, *Honorary Secretary,*  
*Central Committee, District Charitable Society.*

*General Abstract Statement showing the amount of Relief afforded in each Month, from the 1st January to the 31st December 1853.*

MONTHS.	PENSIONS CONTINUED FROM FORMER MONTHS.			PENSIONS PAID FOR THE FIRST TIME.			OCCASIONAL RELIEF.			TOTAL RELIEF AFFORDED.								Amount paid.
	Number of cases.	Number of persons.	Amount paid.	Number of persons.	Amount paid.	Number of persons.	Amount paid.	Euro-peans.	East Indians.		Natives.		Grand Total.					
									M.	F.	M.	F.	M.	F.				
January, .....	78	798	2438	5 9	6 9	0 0	16	99 0 0	15	7 74	111	294	319	383	437	2606	5 9	
February, .....	78	781	2172	7 0	13 34	8 0	19	132 0 0	14	7 76	93	301	322	391	422	2338	15 0	
March, .....	68	766	2094	12 6	9 40	0 0	15	130 3 0	10	7 63	84	306	320	379	411	2264	15 6	
April, .....	79	781	2319	2 9	6 33	8 0	17	84 12 0	11	7 68	85	312	321	391	413	2437	6 9	
May, .....	110	772	2136	15 0	11 22	0 0	10	68 0 0	17	8 58	78	309	323	384	409	2226	15 0	
June, .....	76	799	2190	13 9	3 29	0 0	13	78 8 0	18	9 68	79	315	326	401	414	2298	5 9	
July, .....	68	776	2361	0 3	9 58	0 0	16	98 8 0	15	10 71	88	298	319	384	417	2517	8 3	
August, .....	74	806	2212	6 3	12 30	8 0	16	98 0 0	13	10 67	88	328	328	408	426	2340	14 3	
September, .....	65	822	2225	2 3	3 35	0 0	14	122 8 0	15	6 73	88	329	328	417	422	2382	10 3	
October, .....	69	828	2446	7 0	5 17	0 0	12	132 0 0	18	7 73	96	327	324	418	427	2595	7 0	
November, .....	81	826	2232	15 3	3 17	8 0	11	121 0 0	13	6 73	95	329	324	415	425	2371	7 3	
December, .....	84	829	2247	9 0	4 44	8 0	15	158 0 0	13	6 76	106	331	321	420	433	2450	1 0	
St. Paul's Cathedral, ...	930	9584	27078	0 9	89 430	8 0	174	1322 7 0	172	90 840	1091	3779	3875	4791	5056	28830	15 9	
Lady William Ben-	...	.....	.....	.....	...	.....	.....	...	7	...	3	5	1	1	11	6	100	0 0
tinck's Fund, Bar-	...	.....	.....	.....	...	.....	.....	...	...	...	...	14	192	142	192	156	554	5 0
rackpore & Calcuttia, )	930	9584	27078	0 9	89 430	8 0	174	1322 7 0	179	90 843	1110	3972	4018	4994	5218	29485	4 9	

J. GREGORY VOS, *Honorary Secretary,*  
*Central Committee, District Charitable Society.*

PENSIONERS ON THE 31<sup>ST</sup> DECEMBER 1853.

ON THE

CENTRAL COMMITTEE'S LIST.

None.

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ST. PAUL'S CATHEDRAL DISTRICT.

None.

## LADY WILLIAM BENTINCK'S FUND.

## CALCUTTA PENSIONERS.

No. 9.—Mungloo, ... ..	Co.'s Rs. 1 0 0
„ 13.—Onoo, blind, ... ..	„ 2 0 0
„ 19.—Toolsey, ... ..	„ 1 0 0
„ 24.—Gunsey, ... ..	„ 2 0 0
„ 25.—Joomun, ... ..	„ 2 0 0
„ 26.—Ramchunder Banerjea, ... ..	„ 2 0 0
„ 27.—Golaub, ... ..	„ 2 0 0
„ 28.—Ashoorun, ... ..	„ 2 0 0
„ 30.—Jeemoney and Kiddernath Mitter, ...	„ 3 0 0
„ 31.—Elizabeth D'Cruz, ... ..	„ 5 0 0
„ 35.—Sheriff, ... ..	„ 3 0 0
„ 36.—Ameer Khan, ... ..	„ 3 0 0
„ 37.—Puttessory, ... ..	„ 2 8 0
„ 38.—Edun, ... ..	„ 2 0 0
„ 40.—Sometra, widow, ... ..	„ 2 0 0

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 15

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 Company's Rupees ... .. 34 8 0
 

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 CALCUTTA, 31st December 1853.



PENSIONERS ON DWARKANATH TAGORE'S FUND FOR POOR BLIND.

ABSTRACT.					
	Males.	Females.	Total.	Rupees	( 74 )
Calcutta,	{ Hindoo, .....	.....	84	185 0 0	
	{ Mussulman, .....	.....	114	" 253 0 0	
Howrah,	{ Hindoo, .....	.....	12	" 27 8 0	
	{ Mussulman, .....	.....	3	" 5 0 0	
	<hr/>	<hr/>	<hr/>	<hr/>	
	149	64	213	Co.'s Rupees 470 8 0	

CALCUTTA, }  
31st December 1853.

## MRS. ENGLISH'S CHARITY.

## QUARTERLY PENSIONERS.

	Religion.	Pension.		
		Rs.	A.	P.
No. 1.—Thereza Alexander,... ..	R. C.	25	9	6
„ 4.—Augustin Jeranimo's widow, Catherine,	„	6	6	3
„ 7.—Blind Sally,... ..	„	12	12	9
„ 11.—Sophia Ross, ... ..	„	12	12	9
„ 23.—Maria Angelica D'Rozario, ... ..	„	9	9	6
„ 25.—Anna Thomas,... ..	„	8	8	6
„ 28.—Mr. Charles Prince Sealy, ... ..	Prott.	85	5	3
„ 31.—Juggernaut Mookerjee's widow, ...	Hindoo	4	12	9
„ 32.—Joykissen Bose's mother, ditto, .....	„	4	12	9
„ 35.—Anna White, ... ..	R. C.	15	0	0
„ 36.—Manoo Beebec, ... ..	„	12	12	9
„ 38.—Newaaz Mahomed, ... ..	Mhdan.	12	0	0
—				
12 Pensioners.	Co.'s Rupees	210	6	9
—				

CALCUTTA, }  
 31st December 1853. }

## MRS. ENGLISH'S CHARITY.

## MONTHLY PENSIONERS.

	Religion.	Pension.		
		Rs.	A.	P.
No. 2.—Anna Peris, ... ..	R. C.	3	0	0
„ 3.—Elizabeth Thompson, ... ..	„	3	0	0
„ 12.—Joana D'Cruz, ... ..	„	3	0	0
„ 14.—Maria Loboo, ... ..	„	5	0	0
„ 15.—Clemente D'Souza, ... ..	„	5	0	0
„ 21.—Mrs. Josephine Ferrao Gregory, ...	„	12	0	0
„ 26.—Mary Thompson, ... ..	Prot.	3	0	0
„ 27.—Flora Gonsalves, ... ..	R. C.	8	0	0
8 Pensioners.	Co.'s Rupees...	42	0	0

CALCUTTA, }  
 31st December 1853. }

*List of Temporary Pensioners in Saint John's District on the 31st December 1853.*

( 77 )

Number.	Names.	Charitable Fund.	Particular Marks.	Amount Co.'s Rupees.	Remarks.
7	Barlow, Joseph	.....	Paralytic,	16 0 0	
4	Rose, Peter	.....	Portuguese, a short, stout man,	16 0 0	
8	DeCruze, Thomas	.....	.....	7 0 0	At 4 As. per day.
9	Ellis, Mrs.	.....	.....	3 0 0	For one month.

N. B.—The following is printed, as usual, for the information of the public, as to parties who are receiving Relief, but the Funds are entirely under the control of the Select Vestry of the Presidency Church of St. John, in conformity with "Wills" of the various benefactors, and in no way form a portion of the resources of the District Charitable Society.

Number.	Names.	Division of Funds.	Particular Marks.	Amount Co.'s Rupees.	Remarks.
30	Alexander, Dorothea	Barretto's Fund,	E. I., slender and feeble, (Serampore,)	5 0 0	
62	Chesterman, Ann Eleanor Mrs.	ditto,	.....	14 0 0	
7	Cust, Mary Mrs.	ditto,	E. C. B., old, tall, and grey-headed, ...	16 0 0	
20	DeBruyn, F. R. Mrs.	ditto,	I. P., old widow, ...	12 0 0	
21	Donoghee, Angelina	ditto,	Dutch, (Chinsurah,) .....	12 0 0	

Number.	Names.	Division of Funds.	Particular Marks.	Amount Co.'s Rupees.	Remarks.
26	DeCruze, Paulina	Barretto's Fund,	I. P., ill health,	6 0 0	.....
29	DeCruze, Johannah	ditto,	I. P., old and dim-sighted,	5 0 0	.....
31	DeRozario, Maria	ditto,	I. P., old and in general ill health,	5 0 0	.....
39	DeRozario, Elizabeth	ditto,	I. P., blind, and pock-marked,	3 0 0	.....
42	DeSilva, Maria	ditto,	I. P., sickly, projected right shoulder,	3 0 0	.....
44	Derozario, Catherine	ditto,	I. P., short, dark complexion,	3 0 0	.....
45	DeRozario, Anna	ditto,	I. P., speck, under left eye,	3 0 0	.....
50	Doss, Gour	ditto,	Serampore,	2 0 0	.....
57	Dias, Polly	ditto,	I. P., old and infirm and dim-sighted,	3 0 0	.....
19	Elliott, Ann Frances	ditto,	French descent, sickly,	12 0 0	.....
1	Falvey, Isabella Miss	ditto,	English, old,	25 0 0	.....
9	Farrao, Rose Mrs.	ditto,	I. P., old,	16 0 0	.....
11	Freeman, Thomas	ditto,	American, old, a small cut-mark under right side of the cheek,	16 0 0	.....
27	Frishby, Marcellina	ditto,	I. P., old and infirm,	6 0 0	.....
38	Farley, Anna	ditto,	I. P., hunchback, very short,	3 0 0	.....
56	Ford, Maria Caroline Mrs.	ditto,	.....	12 0 0	.....
14	Gardiner, E. J. Mrs.	ditto,	(Serampore,)	12 0 0	.....
43	Gonsalves, Louisa	ditto,	I. P., old and dim-sighted,	3 0 0	.....
18	Haire, Ann	ditto,	E. I., sickly,	12 0 0	.....
54	Harti, Mrs.	ditto,	.....	10 0 0	.....
51	Koocheel Pankahwallah,	ditto,	Mussulman, old and infirm,	3 0 0	.....
35	Lee, Mary	ditto,	Scotch descent, old and infirm,	3 0 0	.....
59	Lakin, E. Mrs.	ditto,	.....	16 0 0	.....
4	Middleton, Mary Mrs.	ditto,	E. I., with four children,	24 0 0	.....
5	McMahon, Julia Miss	ditto,	.....	20 0 0	.....

23	Morant, Elizabeth	.....	ditto,	E. I., old and infirm,	.....	10	0	0	{ Until she can obtain employ- ment.
58	Marsack, S. Mrs.	.....	ditto,	.....	.....	16	0	0	
8	Pereira, Hannah	.....	ditto,	Scotch descent, ill-health,	.....	16	0	0	
12	Phillipie, Bailip Therara	...	ditto,	French, old widow,	.....	16	0	0	
40	Pereira, Romanna	...	ditto,	I. P., bodily infirmities, short, dark,	...	3	0	0	
25	Peacock, Anna	.....	ditto,	E. I., old,	.....	10	0	0	
63	Patterson, Alexander James	.....	ditto,	A leper,	.....	5	0	0	
17	Pigott, Louisa	.....	ditto,	Dutch, old,	.....	12	0	0	
37	Peters, Ann	.....	ditto,	E. I., deaf and dumb,	.....	3	0	0	
28	Rodrigues, Mrs.	.....	ditto,	I. P., short, the right leg swollen,	.....	6	0	0	
52	Rajwoollah,	.....	ditto,	Mussulman, lost his right arm, (Chan- demagore, ...)	.....	2	0	0	
55	Rammohun Sircar,	.....	ditto,	Old Hindoo,	.....	2	0	0	
61	Robam, Mrs.	.....	ditto,	.....	.....	12	0	0	
2	Smith, Ann Mary	.....	ditto,	English,	.....	25	0	0	
16	Shouldham, Margaret Miss	.....	ditto,	E. C. B., short,	.....	12	0	0	
3	Simpson, Louisa Mrs.	.....	ditto,	English, widow,	.....	25	0	0	
32	Tavares, Elizabeth	.....	ditto,	I. P., sickly, pock marked,	.....	4	0	0	
6	Wroughton, Ann Miss	.....	ditto,	English, old,	.....	16	0	0	
27	Aubin, Mrs.	.....	Chas. Weston's Fund,	.....	.....	5	0	0	
50	Augustin, Caroline	.....	ditto,	I. P., a short young person, unable to walk, .....	.....	6	0	0	
13	Aaron, Mary	.....	ditto,	Jewess, tall, a speck on the nose,	.....	10	0	0	{ Until she can obtain employ- ment.
3	Butler, Orey Eliza	.....	ditto,	E. C. B., fair, and grey headed,	.....	23	0	0	
5	Barnes, Catherine	.....	ditto,	E. C. B., tall,	.....	16	0	0	
10	Bantier, L. M. Miss	.....	ditto,	Chandernagore,	.....	12	0	0	
24	Barker, William	.....	ditto,	N. C., blind and humpback,	.....	6	0	0	
31	Baptist, Ambrose	.....	ditto,	I. P., (Serampore.)	.....	5	0	0	
35	Bissett, Ellen	.....	ditto,	I. P., sickly, a speck on the nose,	.....	4	0	0	
4	Conran, Ann Mrs.	.....	ditto,	E. C. B., widow,	.....	16	0	0	
14	Christian, George	.....	ditto,	I. P., totally blind,	.....	10	0	0	
29	Christian, Paul	.....	ditto,	I. P., grey and partly bald, (Serampore.)	.....	5	0	0	

Number.	Names.	Division of Funds.	Particular Marks.	Amount Co.'s Rupees.	Remarks.
40	Coyle, Elizabeth	Chas. Weston's Fund,	N. C., old and infirm,	4 0 0	
41	DeCruze, Paschael	ditto,	I. P., old, a speck on the right cheek,...	4 0 0	
17	DeRoza, Aurora	ditto,	I. P., (Chinsurah.)	12 0 0	
26	DeCruze, Amonty	ditto,	I. P., lost his right leg,	5 0 0	
36	DeCruze, George	ditto,	I. P., tall, lame of left leg,	4 0 0	
37	DeRozario, Martha	ditto,	I. P., pock marked,	4 0 0	
45	DeSilva, Maria	ditto,	I. P., paralytic, (Serampore.)	6 0 0	
51	D'Silva, M. Mrs.	ditto,	.....	8 0 0	
33	Fleming, Sarah	ditto,	I. P., infirm and dim-sighted,	5 0 0	
16	Hunt, Jane	ditto,	I. P., old,	10 0 0	
19	Henwood, Ann Mary,	ditto,	E. C. B., old, short, slender and grey-headed,	8 0 0	
39	Hingun,	ditto,	With a wife and 3 children, blind,	4 0 0	
46	Joyan, Joseph	ditto,	Malay, old and infirm,	4 0 0	
2	Lethbridge, Susan Mrs.	ditto,	European, widow,	20 0 0	
42	Lame, John	ditto,	I. P., cripple, a wort left side of forehead,	4 0 0	
21	Miranda, Paschel	ditto,	I. P., old, white spot on his lips,	8 0 0	
12	Nestor, Janet	ditto,	European, afflicted with leprosy,	10 0 0	
30	Newbound, Ann	ditto,	I. P., old and dim-sighted,	5 0 0	
44	Nussoorodeen,	ditto,	Mussulman, blind,	4 0 0	
9	Popham, Louisa	ditto,	E. I., short, stout,	15 0 0	{ With an aged mother and daughter.
32	Parks, Sarah	ditto,	I. P., widow, sickly constitution,	5 0 0	
48	Paunchoo,	ditto,	Mussulman boy, blind (Chinsurah,) ...	2 0 0	

43	Rannarain Mookerjee, .....	ditto,	Hindoo, old and infirm,	4	0	0
20	Sealy, Catherine .....	ditto,	American, old and bodily infirmities, ...	8	0	0
22	Swares, Anna .....	ditto,	I. P., old, (Patna.) .....	6	0	0
34	Sevey, Ann Mary .....	ditto,	E. I., Paralytic, lost the use of her { speech, ... }	8	0	0
52	Speede, B. J. Mary Mrs. ...	ditto,	(Chinsurah,) .....	16	0	0
18	Thompson, Sarah Mrs. ...	ditto,	E. I., widow, .....	8	0	0
38	Ujjeemun Bebee, .....	ditto,	Mussulman, old and infirm,	4	0	0
28	Verdoncil, Matilda .....	ditto,	I. P., tall, .....	5	0	0
11	Woolsey, Charlotte .....	ditto,	E. I., widow, .....	10	0	0
25	Williams, Rose .....	ditto,	I. P., old and infirm,	6	0	0
38	Ameerun, .....	Martin's Fund,	Mussulmance, blind and infirm,	2	0	0
20	Baker, Mary .....	ditto,	I. P., old and infirm,	3	0	0
25	Boodhoo, .....	ditto,	Mussulman, lost his left arm,	3	0	0
2	Deane, H. .....	ditto,	E. I., widow, .....	20	0	0
10	DeRozario, Rozina .....	ditto,	I. P., old and dim-sighted,	6	0	0
23	Durbarr, .....	ditto,	Mussulman, blind, .....	3	0	0
26	DeSouza, Johannah .....	ditto,	I. P., old and dim-sighted,	3	0	0
35	DeRozario, Isabel or Eliza- beth, .....	ditto,	I. P., short, old and infirm,	2	0	0
34	Essop, Shalke .....	ditto,	Mussulman, pock-marked,	2	0	0
12	Fisher, Mary .....	ditto,	I. P., old and dim-sighted,	7	0	0
7	Gomes, Raza .....	ditto,	I. P., old and dim-sighted,	8	0	0
40	Goruchurn, .....	ditto,	Hindoo, maimed, .....	2	0	0
43	Gonsalves, Clementee .....	ditto,	.....	10	0	0
47	Grant, Catherine .....	ditto,	I. P., stout, .....	2	0	0
3	Hawatson, Angelina .....	ditto,	Scotch descent, with 3 children,	12	0	0
29	Hanip, Khallashy .....	ditto,	Mussulman, old and dim-sighted,	3	0	0
9	Juddoonauth Dutt, .....	ditto,	Hindoo, totally blind,	6	0	0
11	Julian, Ann Mary .....	ditto,	I. P., old and dim-sighted,	6	0	0
24	Jaunmahomed Khyrattee, ..	ditto,	Blind and pock-marked,	3	0	0
48	Julia, .....	ditto,	Blind girl. (Chinsurah,) .....	3	0	0
45	Joakim, Catherine .....	ditto,	Short and sickly, I. P., .....	5	0	0
8	Lewie, Mary Mrs. .....	ditto,	E. I., a slender, tall, person,	12	0	0
28	Lizarda, Juliana .....	ditto,	I. P., a scar between eye brows, blind,	3	0	0
44	Lock, Nancy .....	ditto,	I. P., old and infirm, .....	3	0	0
1	McMahon, Harriet Miss ...	ditto,	English, afflicted with scrofula, .....	20	0	0

Number.	Names.	Division of Funds.	Particular Marks.	Amount Co.'s Rupees.	Remarks.
14	McClure, Sophia	Martin's Fund.	I. P., paralytic,	4 0 0	.....
30	Noormahomed's widow, .....	ditto,	With two children,	3 0 0	.....
31	Nassir, .....	ditto,	Mussulman, old,	2 8 0	.....
32	Rammoney, .....	ditto,	Hindoo, diseased, right leg,	2 8 0	.....
39	Rupree Raur, .....	ditto,	(Serampore,)	2 0 0	.....
42	Rutton, .....	ditto,	Hindoo, widow, old,	2 0 0	.....
21	Surat, Clara	ditto,	I. P., old and dim-sighted,	3 0 0	.....
36	Suffullyram, .....	ditto,	Hindoo, Leper,	2 0 0	.....
5	Taylor, Magdalen Mrs	ditto,	E. I., widow,	8 0 0	.....
41	Tarruck Chatterjee, .....	ditto,	Hindoo, paralytic,	2 0 0	.....
6	Witchlow, Charlotte and } Mary	ditto,	I. P., orphan,	8 0 0	.....
15	Williams, Annestencia	ditto,	I. P., deaf and dumb,	4 0 0	.....
18	Williams, Susannah	ditto,	.....	4 0 0	.....
46	Woozier Tailor, .....	ditto,	Paralytic, (Chinsurah,)	2 0 0	.....
7	Andrews, Francis	T. Hutt's Fund,	I. P., blind,	3 0 0	.....
3	Cope, Mary	ditto,	I. P., dark complexion,	2 0 0	.....
5	DeRozario, Maria	ditto,	I. P., old, small eyes, and dim-sighted,	2 0 0	.....
1	Gill, Josepha	ditto,	I. P., old, bodily infirmities,	4 0 0	.....
2	Gomes, Catherine	ditto,	I. P., old and infirm, impaired vision,	3 0 0	.....
4	Pereira, Ritta	ditto,	I. P., a scar, corner of the left eye, .....	2 0 0	.....
6	Pereira, Anna	ditto,	I. P., a small speck on the point of the } nose, .....	4 0 0	.....

JOHN G. LLEWELYN, *Vestry Clerk,*  
*St. John's Presidency Church.*

*List of Pensioners in the North Division of the Old Church District, 31st December 1853.*

Number.	Names.	Permanent or Temporary.	Religion.	Particular Marks.	Amount of Monthly Allowance.	Remarks.
1071	Abraham Sarkies, ...	Permanent,	Armin.	Armenian, a tall, fair, sickly old man,	9 0 0	Three children.
99-52	Arthur, Charlotte.	Temporary,	R. C.,	I. P., a slender young woman, .....	8 0 0	
77-52	Batavia, Mary.....	Permanent,	"	I. P., a spare dark person, (perfectly blind.)	5 0 0	
75-53	Bowers, Elizabeth ...	Temporary,	Prot.,	E. I., widow, a fair, elderly person, .....	10 0 0	Two children.
1519	Castillo, Anstasia ...	"	R. C.,	I. P., widow, dark and sickly, .....	12 0 0	
1095	Crichton, Patrick ...	Permanent,	Prot.,	E. I., short, slender and sickly, .....	20 0 0	Four children.
109-51	D'Rozario, Anna (A.)	Temporary,	R. C.,	I. P., widow, a rather short, old woman, ...	3 0 0	
109-52	D'Rozario, Anna (B.)	Permanent,	"	I. P., middle-sized, dark, old woman, ...	3 0 0	Perfectly blind.
70-52	D'Rozario, Geo. Manl.	"	"	I. P., middle-sized, dark, old man, .....	3 0 0	
16-51	D'Silva, Anstasia ...	"	"	I. P., widow, rather fair, old woman, ...	6 0 0	
47-53	D'Cruze, Mark .....	Temporary,	"	I. P., a dark, middle-sized person, .....	15 0 0	{ A wife and six children.
48-53	D'Rozario, Isabella...	"	"	I. P., a short, dark, old woman, .....	3 0 0	
56-53	D'Silva, Louisa .....	"	"	I. P., widow, a spare dark woman, .....	4 0 0	
1496	D'Savelli, W. C.....	"	"	I. P., tall, dark man, .....	3 0 0	{ A wife and four children.
107-51	D'Remedios, Louisa.	"	"	I. P., widow, fair, elderly person, ...	2 0 0	
83-53	D'Rozario, Maria ...	"	"	I. P., widow, a spare dark, old woman, ...	2 0 0	
87-53	Dias, Joseph .....	"	"	I. P., a short dark man, .....	10 0 0	{ A grand-daughter. { A mother, aunt and cousin. { A daughter.
101-52	Deago, Maria .....	"	"	I. P., widow, a rather short, old woman, ...	5 0 0	
114-52	Fernandez, John ...	"	"	I. P., slightly pitted with small pox and affected with elephantiasis, ...)	10 0 0	
98-51	Fraser, Nicholas.....	"	"	I. P., a dark, old man, .....	6 0 0	{ A daughter.
				Carried over, Co.'s Rupees, .....	139 0 0	

Number.	Names.	Permanent or Temporary.	Religion.	Particular Marks.	Amount of Monthly Allowance.	Remarks.
973 20-53	Gonsalves, Johanna Gomes, Catherine ...	Permanent, Temporary,	R. C., "	Brought forward, ... ..	139 0 0	
270	Gomes, John .....	"	Prot.,	I. P., widow, sickly, tall and blind, .....	3 0 0	
1605	Lodrick, Canodah ...	"	R. C.,	I. P., widow, grey-headed, helpless, old { woman, ... }	2 8 0	
1731	Leah, .....	"	Prot.,	E. I., a stout, old man, .....	8 0 0	A wife and a son.
247	Mendies, Emelia.....	"	R. C., Jewish,	I. P., widow, dark, blind and old, .....	8 0 0	A grand-son.
1558	Mathews, Mary.....	Permanent, Temporary,	R. C.,	I. P., widow, short and very sickly, .....	8 0 0	Mother and an aunt.
86-53	Mendes, Maria .....	"	Prot.,	E. I., a rather tall, old woman, .....	4 0 0	A daughter.
1619	Paulit, Anthony.....	"	R. C.,	I. P., widow, a dark, old woman, .....	3 0 0	
1022	Peris, Anthony .....	"	"	I. P., dark, sickly, old man, .....	2 0 0	
59-52	Rose, Isabella .....	Permanent, Temporary,	"	I. P., a short, dark person, an idiot, .....	5 0 0	A wife and a son.
29-52	Rozario, Mary.....	"	"	I. P., widow, a mole on her upper lip, ...	3 12 0	Two children.
1389	Saviel, Francis.....	"	"	I. P., widow, slender and short, .....	6 0 0	A son.
89-52	Stanley, James .....	Permanent, Temporary,	"	I. P., short and stout, an idiot, .....	2 0 0	
			"	I. P., middle-sized, spare person, { broken back, ... }	6 0 0	A daughter.
60-53	Santiago, Francisca	"	"	I. P., a rather stout, dark, old woman, .....	3 0 0	
53-53	Tofaha, .....	"	Jewish,	Jewess, a fair, elderly person, .....	12 0 0	Three daughters.
60-53	Watson, Miss Mary	"	Prot.,	E. I., a fair respectable looking person, .....	7 0 0	
				Total, ... ..	228 4 0	

M. S. TEMPLETON,

Secretary, O. C. C. D. C. Society.

*List of Pensioners in the South Division of the Old Church District, 31st December 1853.*

Number.	Names.	Permanent or Temporary.	Religion.	Particular Marks.	Amount of Monthly Allowance.	Remarks.
19-53	Austin, Helen Charlotte	Temporary,	R. C.,	E. I., a short, fair, young person, .....	10 0 0	Three children.
952	Andrews, Anne	"	"	I. P., widow, dark, stout and elderly, .....	7 0 0	A son.
31-51	Baretto, Elizabeth	"	"	I. P., widow, tall, rather fair and young, .....	7 0 0	A mother.
888	Betts, Anne	"	"	I. P., sickly, consumptive person, .....	2 0 0	
13-53	D'Barros, Minghana	"	"	I. P., widow, dark, and rather short woman, .....	15 0 0	Six children.
17-53	D'Cruz, John	"	"	I. P., a dark old man, .....	12 0 0	(A wife and two daughters.
31-53	D'Costa, Frances	"	"	I. P., widow, a dark old woman, .....	7 8 0	Totally blind.
28-52	Frances, Maria	"	"	I. P., widow, a dark elderly person, .....	3 0 0	
23-52	Gould, Eugenia	Permanent,	"	I. P., widow, grey-headed old woman, ..	3 0 0	Blind.
2-52	Gill, Rose Mary	Temporary,	"	E. I., widow, a respectable looking person, .....	16 0 0	Ten children.
889	Gomes, Anna	Permanent,	"	I. P., widow, very old and infirm, .....	2 0 0	
25-53	Gomes, Anthony (C.)	Temporary,	"	I. P., tall, elderly person, (leprous) .....	5 0 0	A wife.
669	Hettson, Ann	Permanent,	P. Cat.,	E. I., widow, middle-sized, slender and old, .....	8 0 0	Three children.
30-53	Henry, Maria	Temporary,	"	E. I., a spare, dark, sickly person, .....	10 0 0	
31-52	Lewis, Mary	"	"	E. I., widow, tall, slender old person, .....	7 8 0	Two children.
537	Morris, Matilda	"	"	E. I., widow, tall, slender and fair, .....	16 0 0	
24-53	Orphan, An	"	"	.....	12 0 0	
24-51	Vaillant, Chas. Louis	Permanent,	R. C.,	E. I., a thin, sickly person, .....	25 0 0	Six children.
4-52	Williams, Anna	"	"	I. P., widow, thin, dark and old, .....	4 0 0	
				Total, Co. 3 Rupees.....	172 0 0	

M. S. TEMPLETON,

Secretary, O. C. Committee, District Charitable Society.

*List of Pensioners on the Funds of the St. James' District Charitable Committee,  
on the 31st December 1853.*

Number.	Names of Pensioners.	Allowance.	Domicile.	Reasons for admission.
530	Mrs. S. Dundas, .....	1 3 0 0	Toltolla, ...	Aged widow.
521	Goia, .....	3 1 8 0	Church Mission Premises, .....	Children to look after.
520	Jellasuree, .....	0 1 8 0	Ditto, ...	Aged widow.
471	Joseph, .....	1 2 0 0	Kullinga, ...	Insane.
519	Gowree, .....	3 4 0 0	Church Mission Premises, .....	Bed-ridden.
527	Mrs. R. White, .....	0 8 0 0	Bow Bazar, ...	Aged widow.
	Co.'s Rs. ....	.....		
		20 0 0		

C. H. KERR,  
*Secretary.*

*List of Pensioners on the Howrah District Funds, on the  
31st December 1853.*

J. M. Conell and family, ... ..	Co.'s Rupees	30	0	0	
John Clinton, ... ..	"	4	0	0	
Mrs. Chaplin, ... ..	"	16	0	0	
					50 0 0
Clara D'Silva, ... ..	"	2	0	0	
Gokul and wife, ... ..	"	2	0	0	
Old Pearce, ... ..	"	1	0	0	
Pearce, ... ..	"	1	0	0	
Anees, ... ..	"	2	0	0	
Champa, ... ..	"	2	0	0	
Commul, ... ..	"	2	0	0	
Radmonnee, ... ..	"	2	0	0	
					14 0 0
	Co.'s Rupees	64	0	0	

# NATIVE COMMITTEE.



## ABSTRACT OF PENSIONERS ON 31ST DECEMBER 1853.

	<i>Males.</i>	<i>Females.</i>	<i>Total.</i>	
Hindoos, .....	55	97	152	} 356 Recipients,..... Rupees 667 0 0
Mahomedans, .....	77	127	204	

## SUBSCRIBERS

TO THE

DISTRICT CHARITABLE SOCIETY,  
1853-1854.

MONTHLY DONATION FROM THE SUPREME GOVERNMENT, Co.'s Rs. 1200 0 0

## MONTHLY.

Trustees Dwarkanath Tagore's Fund for Blind Poor,- Co.'s Rs.	1200	0	0
J. Higgins, Esq., - - - - -	3	0	0
Captain M. J. Turnbull, - - - - -	4	0	0
C-----, commencing from 16th February 1854,	20	0	0

## QUARTERLY.

Dr. J. Jackson, - - - - - Co.'s Rs.	16	0	0
S., - - - - -	8	0	0
G., - - - - -	25	0	0
Mrs. C. B. Skinner, - - - - -	15	0	0
R. M. S. - - - - -	10	0	0
Dr. G. G. Spilsbury, - - - - -	60	0	0

## ANNUAL.

The Right Reverend the Lord Bishop of Calcutta, - - Co.'s Rs.	200	0	0
The Honorable Sir Lawrence Peel, Kt., - - - - -	300	0	0
The Honorable Sir J. W. Colville, Kt., - - - - -	100	0	0
The Honorable Sir A. Buller, Kt., - - - - -	50	0	0
The Honorable B. Peacock,- - - - -	100	0	0
Messrs. Ashburner and Co., - - - - -	75	0	0
Sir R. Barlow, Bart., C. S., - - - - -	100	0	0
Colonel R. J. H. Birch, C. B., - - - - -	100	0	0
C. Beadon, Esq., C. S., - - - - -	100	0	0

N

Major W. E. Baker, - - - - -	Co.'s Rs.	100	0	0
B. J. Colvin, Esq., C. S., - - - - -	"	200	0	0
The Hon'ble Sir F. Currie, (1853,) - - - - -	"	25	0	0
E. Currie, Esq., C. S., - - - - -	"	100	0	0
T. Dickens, Esq., - - - - -	"	50	0	0
P. S. D'Rozario, Esq., - - - - -	"	25	0	0
John Deffell, Esq., - - - - -	"	100	0	0
J. Dunbar, Esq., C. S., - - - - -	"	100	0	0
W. H. Elliott, Esq., C. S., - - - - -	"	25	0	0
Colonel W. N. Forbes, - - - - -	"	50	0	0
J. H. Fergusson, Esq., - - - - -	"	75	0	0
W. Grey, Esq., C. S., - - - - -	"	100	0	0
G. Higgins, Esq., - - - - -	"	25	0	0
C. S. Hogg, Esq., - - - - -	"	50	0	0
H. J. Muston, Esq., - - - - -	"	12	0	0
D. Macdonald, Esq., - - - - -	"	8	0	0
Dr. S. Nicolson, - - - - -	"	100	0	0
Captain G. Newbolt, - - - - -	"	100	0	0
G. A. Pepper, Esq., C. S., - - - - -	"	50	0	0
W. Ritchie, Esq., - - - - -	"	10	0	0
Captain T. E. Rogers, - - - - -	"	50	0	0
Samuel Smith, Esq., - - - - -	"	100	0	0
B. R. Stroud, Esq., - - - - -	"	16	0	0
The Revd. Professor S. Slater, - - - - -	"	16	0	0
Dr. D. Stewart, - - - - -	"	50	0	0
H. Woodrow, Esq., - - - - -	"	50	0	0
X. Y. Z., - - - - -	"	100	0	0
The Revd. Professor K. M. Banerjea, - - - - -	"	12	0	0
Baboo Bemolachurn Day, - - - - -	"	50	0	0
" Chundercomar Chatterjea, - - - - -	"	12	0	0
" Doorgachurn Banerjea, - - - - -	"	10	0	0
" Eshanchunder Bose, - - - - -	"	50	0	0
" Gannandromohun Tagore, - - - - -	"	25	0	0
" Hurrochunder Ghose, - - - - -	"	16	0	0
" Hureemohun Sen, - - - - -	"	12	0	0
" Kissorychund Mitter, - - - - -	"	12	0	0
" Kasheeshur Mitter, - - - - -	"	25	0	0
" Modooooden Roy, - - - - -	"	12	0	0
" Nilmoney Muttyloll, - - - - -	"	12	0	0

Baboo Nilcomul Banerjea, - - - - -	Co.'s Rs.	12	0	0
Rajah Pertabchunder Sing, - - - - -	"	150	0	0
Baboo Pearychand Mitter, - - - - -	"	25	0	0
" Potitpaubun Sen, - - - - -	"	36	0	0
" Rajender Dutt, - - - - -	"	100	0	0
" Radanath Sickdar, - - - - -	"	50	0	0
" Ramgopaul Ghose, - - - - -	"	100	0	0
" Russomoy Dutt, - - - - -	"	16	0	0
Rajah Suttochurn Ghosal, Bahadoor, - - - - -	"	100	0	0
C. Blake, Esq. - - - - -	"	100	0	0

## DONORS.

Estate Sittanauth Mullick, from Baboo Rajkissen Mitter, Executor, in further part of Legacy of 3,000 Rupees, - - - - -	} Co.'s Rs.	500	0	0
" The Committee of the Ball given to Lady Jackson," (through Henry Lumsden, Esq.,) - - - - -		33	8	7
Baboo Uddoy Chunder Addy, - - - - -	"	12	0	0
A Friend, - - - - -	"	7	10	0
Baboo Madhubehunder Chouduree, Moonsiff of Chuppye, Zillah Rajshye, - - - - -	"	10	0	0
Owen John Elias, Esq., - - - - -	{	4294	0	11
		950	0	0
		477	8	0
		5721	8	11
A Friend through L. A. DeSouza, Esq., - - - - -	"	250	0	0
X. Y. Z., for the Alms House, - - - - -	"	100	0	0
Ditto, extra donation, - - - - -	"	200	0	0
D. M. A., - - - - -	"	10	0	0
D. C., - - - - - two donations, - - -	"	75	0	0
W. Macpherson, Esq., - - - - -	"	100	0	0
F. Bellairs, Esq., - - - - -	"	50	0	0
J. P. Grant, Esq., C. S., - - - - -	"	100	0	0
G. Cowan, Esq., - - - - -	"	100	0	0
Y. E., through G. W. Moultrie, Esq., two donations, -	"	61	0	0
C. A. Cavorke, Esq., - - - - -	"	200	0	0
H. Marshall, Esq., - - - - -	"	6	0	0
A Thank offering, through Revd. H. S. Fisher, - - -	"	16	0	0

Major R. Ramsay, - - - - -	Co.'s Rs.	40	0	0
G. M., - - - - -	"	12	0	0
W. X. Y. Z., - - - - - three donations, - -	"	115	0	0
W. F. Fergusson, Esq., through Messrs. Allan Deffell } and Co., - - - - - }	"	10	0	0
G. A. Laws, Esq., " - - - - -	"	5	0	0
A Friend at B., - - - - -	"	1215	14	0
R. T. Tucker, Esq., through J. Cochrane, Esq., } Official Assignee, }	"	3	12	0
A Thank offering, - - - - -	"	40	0	0
A Lent offering, - - - - -	"	150	0	0
W. Nichol, Esq., - - - - -	"	16	0	0

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## SUBSCRIBERS

TO THE

## LEPER ASYLUM.

Mrs. W. Bonnaud, - - - - -	Monthly, Co.'s Rs.	5	0	0
Baboo Loknath Bose, - - - - -	ditto "	3	0	0

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# PROCEEDINGS

OF A

EUROPEAN GENERAL COURT MARTIAL,

HELD IN BOMBAY,

ON MONDAY THE 20TH FEBRUARY, 1854,

FOR THE TRIAL OF

LIEUTENANT-COLONEL GIDLEY, 22ND REGT. BO. N. I.

PRESIDENT.

Colonel F. P. Lester, Commandant of Artillery.

MEMBERS.

Lieutenant Colonel H. Macan, 24th Regiment N. I.

Lieutenant Colonel J. D. Hallett, C. B., 3rd Regt. N. I.

Lieutenant Colonel Commandant J. S. Leeson, Horse Artillery.

Lieutenant Colonel R. W. Honner, 4th Regiment N. I., (Rifles).

Lieutenant Colonel J. S. Down, 27th Regiment N. I.

Lieutenant Colonel H. W. Stisted, H. M.'s 78th Regiment (Highlanders).

Lieutenant Colonel J. Creagh, H. M.'s 86th Regiment.

Lieutenant Colonel W. Brett, 2d Battalion Artillery.

Lieutenant Colonel J. Wilkie, H. M.'s 10th Royal Hussars.

Major E. H. Hart, Marine Battalion N. I.

Major S. Turnbull, Horse Artillery.

Major H. Hamilton, H. M.'s 78th Regiment (Highlanders.)

Major P. Grehan, H. M.'s 78th Regiment (Highlanders.)

Captain J. P. Mayers, H. M.'s 86th Foot.

Captain H. Boye, Deputy Judge Advocate General, conducted the proceedings of the Court, and Lieut. C. L. Glassford, 1st Fusiliers, officiated as Interpreter.

The General Order directing the assembly of the Court and the Warrants to the President and Deputy Judge Advocate General having been read, and the members duly sworn, the Court proceeded to the trial of

Lieut. Colonel Thomas Gidley, of the 22nd Regiment N. I., on the following

### CHARGES.

**FIRST CHARGE.**—For gross dereliction of duty, when Commanding Officer of the 15th Regiment N. I., in having at Bhooj, in the province of Cutch, between the 1st of January and the 1st of September 1853, countenanced intemperance and unbecoming conduct among the officers of the Regiment under his command, by permitting unchecked and unpunished, the following instances of drunkenness and impropriety, degrading to Gentlemen, and ruinous to discipline.

*First Instance.*—In the instance of the late Surgeon Elliott, who was drunk and indecent in his language at a dinner party given by the Political Agent in Cutch, on or about the 13th day of January, one thousand eight hundred and fifty-three, the Prisoner being present.

*Second Instance.*—In the instance of Lieutenant Comyn, of the 15th Regiment Native Infantry, who was drunk when going to the Durbar of his Highness the Rao of Cutch, on or about the 7th day of April, one thousand eight hundred and fifty-three.

*Third Instance.*—In the instance of Ensign Loft, of the 15th Regiment Native Infantry, who was drunk at a dinner party, given by the Political Agent in Cutch, on or about the month of April, one thousand eight hundred and fifty-three, the Prisoner being present.

*Fourth Instance.*—In the instance of the late Surgeon Elliott, and Ensigns Loft and Hammond, of the 15th Regiment Native Infantry, who were drunk at a Nautch given on or about the 20th day of April, one thousand eight hundred and fifty-three, the Prisoner being present.

*Fifth Instance.*—In the instance of the late Surgeon Elliott, who, on or about the 13th day of April, one thousand eight hundred and fifty-three, between the hours of nine and ten o'clock at night, arrived drunk at Ensign Cole's Bungalow, when required to afford medical aid to that officer;—Surgeon Elliott having come from the Prisoner's house on that occasion.

*Sixth Instance.*—In the instance of Lieutenant Laurie, of the 15th Regiment Native Infantry, who was drunk in the Billiard-room of the Regiment, on or about the evening of the 13th of August, one thousand eight hundred and fifty-three, the Prisoner being present.

*Seventh Instance.*—In the instance of Ensign Loft, of the 15th Regiment Native Infantry, who was drunk at the prisoner's quarters, on or about the 3rd day of August, one thousand eight hundred and fifty-three;—Ensign Loft being at the time on duty, as officer of the day.

**SECOND CHARGE.**—For gross dereliction of duty, when Commanding Officer of the 15th Regiment Native Infantry, and conduct highly dis-

graceful and unbecoming the character of an Officer and a Gentleman, in not interfering to prevent the following scenes of indecency, which were enacted in his presence :—

*First Instance.*—In the instance of disgusting language, used towards the late Surgeon Elliott, in the Billiard-room of the 15th Regiment N. I., on or about the month of April, one thousand eight hundred and fifty-three, on which occasion Ensign Loft, of the 15th Regiment, laid hold of Surgeon Elliott by the private parts.

*Second Instance.*—In the instance of the late Surgeon Elliott, whose person was indecently exposed in the Billiard Room by certain Officers of the Regiment, on or about the month of May, one thousand eight hundred and fifty-three.

The above being in breach of the Articles of War.

Adjutant General's Office, Head Quarters Bombay, 16th day of February 1854.

By the order of H. E. the Commander-in-Chief,

(Signed) HENRY HANCOCK, Lieut. Col.,

Adjutant, Genl. of the Army.

Colonel Gidley pleaded Not Guilty. He was professionally assisted by Mr. R. B. Barton, Barrister at Law, and Mr. F. J. Darby, Solicitor, of the Supreme Court.

The following Evidence was then recorded:—

1st WITNESS, *Assistant Surgeon Beatty*, deposed.—I was stationed as Assistant Surgeon at Bhooj in the month of January 1853, in medical charge of a Detachment of Artillery. I am acquainted with the prisoner Lieutenant Colonel Gidley. In January 1853 Lieutenant Colonel Gidley commanded the 15th Regiment in Bhooj. I was acquainted with the late Surgeon Elliott of the 15th Regiment. In January 1853, I remember that a dinner party was given to the 15th Regiment shortly after its arrival at Bhooj, by Major Jacob, the Political Agent in Cutch. I do not remember the exact date. I was at that dinner. Colonel Gidley was there, the late Surgeon Elliott was there. I was seated on the same side of the table as Surgeon Elliott, six or seven chairs off. Colonel Gidley was sitting on the left of Major Jacob, who was in the centre, and Surgeon Elliott was on the opposite side of the table some five chairs off, as near as I can recollect. I remarked Surgeon Elliott's riotous conversation on that occasion. He was calling out very loud about the medal which he had got at Mooltan. I heard Major Jacob say to Surgeon Elliott that he had now come into civilized society, and intimated his wish that he should keep quiet. He did not keep quiet. I heard Major Jacob address Surgeon Elliott twice on the same point. Surgeon Elliott did not keep quiet the second time. I did not hear Colonel Gidley address Surgeon Elliott on the riotous conversation he was indulging in. Colonel Gidley was nearer to me than Major Jacob.

*Cross-Examined.*—I had seen Surgeon Elliott previously to the day we met at dinner. I saw him at breakfast on the morning that the Regiment had arrived. Colonel Gidley was seated at such a distance from Surgeon Elliott, that I should say all I heard, could have been heard by Colonel Gidley.

*By the Court.*—I was under the impression that Surgeon Elliott was then under the influence of liquor. I did not hear him use indecent language.—[*The witness retires.*]

2ND WITNESS, *Lieut. Mellersh*, of the Artillery, deposed.—In the month of January, 1853, I was serving at Bhooj. I am acquainted with the prisoner Lieutenant Colonel Gidley. He commanded the 15th Regt. N. I. at Bhooj in January 1853. I was acquainted with the late Surgeon Elliott of the 15th Regiment. I was present at a dinner party given on the 11th January at Bhooj by Major Jacob, Political Agent in Cutch, to the Officers of the 15th Regt. N. I. Colonel Gidley was there; the late Surgeon Elliott was there. I was on the opposite side of the table to that occupied by Surgeon Elliott near the furthest end. Colonel Gidley was sitting on the left of Major Jacob, who was at the centre of the Table. Dr. Elliott was on the opposite side near the end of the table. Surgeon Elliott was intoxicated on that occasion. I was led to think so because he was talking and laughing loudly at dinner, and behaved ridiculously. I do not remember exactly what he was saying, he was talking principally about Mooltan; Major Jacob several times endeavoured to turn the conversation, but did not succeed. The noise made by Surgeon Elliott was very disagreeable to Major Jacob. I did not observe that Col. Gidley took any notice of Surgeon Elliott's conduct. I was seated nearer to Colonel Gidley than to Major Jacob—at least I think so.

*Cross-Examined.*—I had seen Surgeon Elliott once before at Sukkur when the Mooltan Field Force was collecting there. On the occasion of my seeing Surgeon Elliott at Sukkur at the Mess of the 11th Regiment he was talking loudly;—from what I saw of him I thought his usual manner was noisy. On the occasion of the dinner given by Major Jacob, I saw Surgeon Elliott after the company had left, and from his manner of walking and general demeanour I was convinced that he was drunk. Colonel Gidley was not there at the time I refer to. I don't recollect if Colonel Gidley left early.

*By the Court.*—Surgeon Elliott was so evidently drunk when Colonel Gidley was present that he must have observed it.—[*The witness retires.*]

3RD WITNESS, *Lieut. Billamore*, of the Artillery, deposed.—In the month of January 1853 I was doing duty at Bhooj. I am acquainted with the prisoner Lieutenant Colonel Gidley, he was commanding the 15th Regiment N. I. at Bhooj in January 1853. I was acquainted with the late Surgeon Elliott of the 15th Regiment. I was at a dinner party given in January 1853 by Major Jacob, Political Agent, to the officers of the 15th Regiment shortly after their arrival in Bhooj. Colonel Gidley was there, so also was Surgeon Elliott. I was on the left of Colonel Gidley. Dr Elliott was on the opposite side of the table. The Revd. Mr Watson was seated opposite to Major Jacob I think, and Dr Elliott to the left of Mr Watson. I should say that Dr Elliott was drunk on that occasion. I was led to form that opinion from his rambling way of talking and from his general manner. I do not remember anything he said. The nature of his conversation was disagreeable and insulting to Mr Watson. Major Jacob endeavoured two or three times to turn the conversation. Dr Elliott's language was obscene and filthy. Major Jacob did not succeed in his endeavours; he twice tried to change the conversation. Colonel Gidley did not take any notice of Surgeon Elliott's conduct. I don't remember when Dr Elliott left the party.

*Cross-Examined.*—I remember one time Surgeon Elliott was talking about women, and that was what induced Major Jacob to try to change the conversation. The dinner party I refer to was given to the Society in general, to meet the Officers of the 15th Regt. I do not remember any of the obscene remarks made by Dr. Elliott; he was saying something about preferring petticoats to the cloth, referring to Mr. Watson's profession. What I have deposed to about obscene language is from my own

knowledge I believe, and not from hearsay. I cannot say that I remember any particular word made use of by Surgeon Elliott, but I am positive that I did hear him speak obscenely. Dr. Elliott might have said to Mr. Watson—"much as I respect your cloth, I like a petticoat much better;" it might have been that, and I don't consider that obscene. Dr. Elliott's general manner in society was noisy. There were no ladies present at the party.

*By the Court.*—I don't recollect having heard Major Jacob address Dr. Elliott; when he wanted to change the conversation, he spoke as if he was addressing Mr. Watson. Dr. Elliott's conduct and conversation were such as to draw general observation.—[*The witness retires.*]

4TH WITNESS, *The Revd. Thomas Watson*, deposed.—In January 1853 I was Military Chaplain at Bhooj. I am acquainted with the prisoner, Colonel Gidley. In January 1853, he was Commanding the 15th Regiment. I was present at the dinner party given by Major Jacob, Political Agent in Cutch, to the 15th Regiment, shortly after the arrival of the corps in that Province. I think it was about the 11th of January. Colonel Gidley was there. The late Surgeon Elliott was there. Dr. Elliott was sitting the next but one on my left hand at the table. He seemed to me to be intoxicated on that occasion. He was noisy, and was making use of loose language, and his manner was different from what it was whenever I have seen him sober. He was swearing all the time, and I heard him make use of one very offensive expression. I remember his saying, "that damned fellow has the buboes." I can't recollect any other expressions of that nature; the other expressions made use of by him were simply oaths. Colonel Gidley did not take the slightest notice of this conduct; Major Jacob did take notice; he said to Surgeon Elliott—"you must recollect, Doctor, that you are now come into civilized society and must behave yourself," or words to that effect. I don't recollect Major Jacob speaking to him in this manner more than once. His reproof had no effect upon Dr. Elliott. Colonel Gidley was seated on the left hand of Major Jacob, when the latter vainly endeavoured to induce Dr. Elliott to behave himself.

*Cross-examined.*—I can't tell to whom Dr. Elliott was speaking when he made use of the indecent expression specified by me, my notice was attracted by the observation. I was not paying any attention to his conversation. I believe that Dr. Bloxham was sitting next to Dr. Elliott, but I really can't say that the observation was addressed by the latter to Dr. Bloxham, as between professional men. I can't say positively who did or who did not hear the indecent expression referred to; but Colonel Gidley was within hearing. I believe there was a general conversation going on at the time. I don't remember, at this distant period, any observations made use of by Colonel Gidley, except one regarding Shikarpore as a station. Colonel Gidley did not speak in so loud a tone of voice as Dr. Elliott. I did not report Dr. Elliott's conduct to Colonel Gidley, as it was no duty of mine, it was useless, as Colonel Gidley was himself present; I am not aware that any one else reported Dr. Elliott's conduct to Colonel Gidley. It is impossible for me to say whether or not Colonel Gidley was so engaged in general conversation as not to have heard the indecent observation made use of by Dr. Elliott.

*By the Court.*—I forget whether it was before or after or at the time when the indecent expression was used by Dr. Elliott, that Major Jacob endeavoured to make him keep quiet. I do not recollect having heard Dr. Elliott make any allusion to "cloth" or "petticoat" in any address to me. When Major Jacob desired Dr. Elliott to behave himself as he had come into civilized society, no one could have mistaken that he meant to stop Dr. Elliott going on in the way he was doing; Major Jacob appeared to be very much annoyed; the whole affair was such as naturally to attract Colonel Gidley's attention.

SECOND DAY, TUESDAY, 21st FEBRUARY, 1854.

*The Reverend Thomas Watson's Examination continued;—*

*By the Court.*—Dr Elliott dined with Major Jacob after the ill conduct alluded to by me. I was there on the occasion of the dinner in January at Major Jacob's. Ensign Hammond, of the 15th Regiment, sat on the other side of Surgeon Elliott. The tone of voice used by Surgeon Elliott in addressing Assistant Surgeon Bloxham when he made use of the offensive expression referred to in my evidence yesterday, was certainly not that in which professional men talk over such subjects; more especially when they happen to meet together in general company. I am sufficient judge of the tone of voice of Dr Elliott in his general speaking to make the answer I have just given. I had never seen him before.—[*The witness retires.*]

The Court now proceeded to receive evidence on the Second Instance of the First Charge.

5TH WITNESS, *Major Watkins*, 15 Regt. N. I., deposed.—On the 7th April 1853 the Eur. Officers of the 15th Regt. N. I. were ordered to attend on Duty at the Durbar of His Highness the Rao of Cutch. I saw Lieutenant Comyn going to the Durbar. Lieut. and Adjutant Kane first brought it to my notice that Lieut. Comyn was drunk. I then went up to him, spoke to him, and saw that he was drunk, and desired him to go to his quarters. He did not go immediately, when Ensign Loft and Ensign Cole went up to him and persuaded him to go; his clothes on the left side were dirty. When I went up to Lieut. Comyn he was rolling to and fro on his tattoo, and could hardly keep his position. His voice was that of a drunken man, he could hardly articulate. As well as I can remember this was at 5 o'clock in the evening. At that time I was second in command of the 15th Regt. N. I. The officers were dressed in shell jackets and swords when they went to the Durbar. Lieut. Comyn was in that dress.

*Cross-Examined.*—I do not remember that I told Major Jacob that Lieut. Comyn was indisposed on that occasion. I had only one opinion on that point, Lieut. Comyn was drunk,—and I could not have stated otherwise. I did not, that I am aware of, excuse Lieut. Comyn's absence from the Durbar to Major Jacob. I am perfectly sure that I had no conversation with Major Jacob at the Durbar or at any other time in regard to Lieut. Comyn. I did not report to Lieut.-Col. Gidley the conduct of Lieut. Comyn. I left it to the Adjutant, Lieut. Kane, to do so, as he was present at the time that I sent Lieut. Comyn to his quarters; and I expected that I would have been sent for the next morning by Lieut.-Colonel Gidley, to enquire into the particulars. I am not aware of my own knowledge that Lieut. Kane reported the circumstance to Lieut.-Col. Gidley.

*By the Court.*—The Durbar was held between 5 and 6 o'clock in the evening. I should most decidedly say that the state in which I saw Lieut. Comyn was not produced by exposure to the sun in one of the hottest months of the year;—it was from the effect of liquor. I am not aware that Colonel Gidley in any way noticed the matter; nor was it officially or otherwise noticed to me by Colonel Gidley. It was more as an order emanating from me as second in command than as a piece of advice, that I desired Lieut. Comyn to go to his quarters. I considered it my duty to order Lieut. Comyn to do so.

[The following question put by the prisoner through the Court was not allowed to be addressed to the Witness. "If you ordered Lieut. Comyn to proceed to his quarters, why did you not report that you had done so to Lieut.-Colonel Gidley?"]

I did not order Lieut. Kane to report the circumstance. I thought as Adjutant of the Regiment he would have done so himself, as he brought it to my notice. I did not place Lieut. Comyn under arrest.

[The Court refused to entertain the following question. "In the absence of Colonel Gidley, why did you not, as second in command, place Lieut. Comyn at once in arrest."]

Col. Gidley was present at the Durbar. I am not aware that he noticed the absence of Lieut. Comyn. I have no official knowledge that Lieut. Comyn's conduct was reported to Lieut.-Colonel Gidley. Lieut. Kane mentioned to me that Colonel Gidley was aware of Lieut. Comyn having been drunk. The officers of the Regiment assembled together in a body at Major Jacob's house before going to the Durbar. I do not remember having seen Lieut. Comyn inside the house, but I saw him outside the gate afterwards amongst the other officers. Col. Gidley was riding in front at the time with Major Jacob some fifty or hundred yards distant from where I saw Lieut. Comyn.—[*The witness retires.*]

6TH WITNESS, *Captain Kane*, 15th Regiment N. I., deposed.—I was Adjutant of the 15th Regiment in April 1853. On the 7th of that month the Officers were invited to a Durbar of the Rao of Cutch. I saw Lieutenant Comyn going to the Durbar. He was very drunk. He was reeling about on his tattoo. His clothes were covered with dirt. His face had a bewildered appearance. No conversation passed between me and him. He was sent home by Major Watkins. I went up to Major Watkins and told him that Lieutenant Comyn was drunk. The Officers were ordered by a Circular signed by Colonel Gidley to go to the Durbar. The order emanated from Lieut.-Colonel Gidley. I do not exactly remember what order was issued regarding dress; but shell jackets and swords were worn on duty at the time. It was between five and six o'clock in the evening that I saw Lieut. Comyn going to the Durbar. I saw him near the body of Officers and going towards the Camp. I did not hear what passed between him and Major Watkins. While we were proceeding to the Durbar, Col. Gidley was not aware of Mr. Comyn being drunk; but next morning at the orderly room I mentioned the circumstance to him, not as a report, because I knew that Colonel Gidley had been with Lieut. Comyn at about nine o'clock on the previous night,—that of the Durbar. Col. Gidley had previously mentioned the same to me; he talked of it as a disgraceful proceeding, and suggested that Lieut. Comyn should be made to leave the Regiment. No official notice was taken of the subject by Col. Gidley that I am aware of. The junior Officers of the Regiment talked of raising a sum of money to purchase him out; but it was not carried into effect. I am not aware of this of my own knowledge.

*Cross-Examined.*—Colonel Gidley mentioned the circumstance to me on the evening of the Durbar, in course of the conversation with me in the orderly room. I and he were present. I had a conversation with several Officers on the subject of Lieut. Comyn's purchase. When I first saw him he was about eight paces off; he afterwards passed close by me,—within two or three paces off. Col. Gidley read me Mr. Comyn's note to him, which led me to infer that Mr. Comyn intended to destroy himself and wished him good-bye, and that he would not see him again in this world. Colonel Gidley told me that it was this note which induced him to go to Lieut. Comyn the previous evening. I did not infer from Colonel Gidley reading me the note that Lieut. Comyn was in a state of dangerous illness, unless *delirium tremens* brought on by drinking be meant. Col. Gidley told me that he had just discovered that Lieutenant Comyn was suffering from venereal disease; that shortly after his return from Bombay Dr. Elliott was going to give Lieut. Comyn a sick certificate to go to Mandavie, in consequence of his having that disease which was only discovered that morning. He was put into sick quarters after his return from Bhooj up to the day of the Durbar. When he returned from Bombay he appeared remarkably well. I never heard of Dr. Elliott having allowed people to go away on sick leave in consequence of the venereal disease.

THIRD DAY, WEDNESDAY, 22ND FEBRUARY, 1854.

*Captain Kane's* examination continued.—Colonel Gidley was about twenty or thirty paces in front of Major Jacob and Dr. Elliott when Lieutenant Comyn was drunk; he was standing near Major Jacob. When I first saw Lieutenant Comyn, it was my intention to report him to Lieutenant Colonel Gidley. I had mentioned my intention to, I think, Ensign Loft, who was riding by my side at the time. He begged of me not to do so and said he would take him (Lieutenant C.) home. I was also deterred from a wish not to expose my Regiment in presence of a stranger.—Major Jacob. I had been moreover Adjutant only for several days and had just returned to the Regiment, and I considered that the matter might have been settled by buying Lieutenant Comyn out of the Regiment instead of subjecting him to a Court Martial. Strictly speaking, however, I neglected my duty in not reporting him. My motive for so doing was not to expose him. Col. Gidley seemed to screen Lieutenant Comyn. I must say Colonel Gidley appeared to be annoyed at the circumstance; he said something about Lieutenant Comyn having been at Mess with other officers. He was annoyed at the officers having permitted Lieutenant Comyn to come in that state. In reporting to Major Watson I did not think the same notice would be taken of Lieutenant Comyn's conduct as by reporting him to Colonel Gidley.—[*The witness retires.*]

*7TH WITNESS, Lieutenant T. Coles, 15th Regiment N. I.,* deposed.—In the month of April 1853, I remember being present with other officers at the Durbar of the Rao of Cutch. This was on or about the 7th of April. I saw Lieutenant Comyn going to the Durbar. He was drunk. I went up to him and persuaded him to go to his quarters. I saw him reeling about on his saddle. He left my side. I did not see him afterwards. Mr. Loft was also on the other side. Lieut. Comyn left us both. Mr. Loft also persuaded him to go to his quarters. I went over to Mr. Loft's house shortly after the Durbar, when I saw Lieutenant Thomson and Ensign Hammond there; the former said he was just going to write to enquire if I would give 700 Rupees to buy out Lieutenant Comyn. My reply was that he would not go. Mr. Thomson said he must go because he had another of his attacks; and at the same time Ensign Loft produced a note by Lieutenant Comyn to Dr. Elliott, the exact words of which I do not remember; but the purport of it was wishing the Doctor farewell as he was about to destroy himself. There was a rough scale of payment on the table in the room.

*Cross-examined.*—I did not report Lieutenant Comyn's conduct to Colonel Gidley, either officially or privately at any time.

*By the Court.*—By "attacks" I mean the venereal disorder with which Lieutenant Comyn was affected.—[*The witness retires.*]

*8TH WITNESS, Ensign Wainwright, 15th Regiment N. I.,* deposed.—It was about the beginning of April 1853, that the officers of the 15th Regiment attended at the Durbar of the Rao of Cutch. I saw Lieut. Comyn going to the Durbar. He was very much intoxicated. I saw him at the Mess-room before going to the Durbar; he was then in the same state, very drunk. I believe he was induced to go to his quarters when he was on his way to the Durbar. It was about half past four o'clock p.m. He was at the Mess-room about half an hour before this. On my return from the Durbar I saw him in his own quarters; it was about dusk. He was still in the same drunken state; he was very much excited; he threatened to knock Ensign Loft down if he came again to his quarters. Ensign Loft went to Lieut. Comyn's quarters before me. He remained only a few minutes and went away. Afterwards Colonel Gidley and the late Surgeon Elliott came there. There was some conversation in which he insisted upon going to the mess, but which Colonel Gidley forbade him to do. Colonel Gidley requested me to take Lieut. Comyn to my house and to look after him, which I did. He remained at my

house till about nine o'clock the same evening, and Colonel Gidley and Surgeon Elliot came there and removed him to the house of the latter. He went in a bullock gharee. He was not in a condition to ride or walk without some assistance. I was told that Ensign Loft made a proposal to induce Lieut. Comyn to buy out. The scheme was not carried into effect. I myself informed Colonel Gidley of the scheme just alluded to. When I called on Colonel Gidley the day after the proposition was made, I requested him to write to Lieut. Comyn to be on his guard. I believe Colonel Gidley was well disposed towards Lieut. Comyn. He said during a conversation with me, that he had lost all confidence in Lieut. Comyn, on account of his intemperate habits, and occasional fits of drinking. He also said that Lieut. Comyn was so often found behaving in this manner, that the best thing for him was to go out.

*Cross-examined.*—When Lieut. Comyn came to my house I gave him some beer to keep him quiet. When the conversation between me and Colonel Gidley occurred, no one was present to the best of my recollection. This was several days after the Durbar. I called on Colonel Gidley, not officially, but as a friend of Lieut. Comyn. Lieut. Comyn gave up his intemperate habits, I believe, after his return to Bhooj from Mandavie.

*By the Court.*—I had no other conversation with Colonel Gidley about Lieut. Comyn. The Colonel did not make any other general remark than what I have already mentioned. I do not think it was for the benefit of the Regiment but for that of Lieut. Comyn's that Colonel Gidley remarked that he should sell out. Undoubtedly Col. Gidley had no wish to take serious notice of Lieut. Comyn's conduct.—[The witness retires.]

The Court next proceeded to take evidence on the Third Instance of the Charge.

*Assistant Surgeon Beatty* was recalled and deposed.—I was present at a dinner given by Major Jacob, Political Agent at Bhooj, in the month of April 1853. There were some ladies present on the occasion. Colonel Gidley was there. Ensign Loft was there. I particularly remarked the conduct of Ensign Loft at the commencement of the dinner. My attention was drawn to Ensign Loft; his face was red, it presented a tipsy appearance. He was seated on my left; I was at the foot of the table. Mr. Loft left the table before the cloth was removed; he was perfectly drunk. He was assisted by Major Watkin and Ensign Hammond lifting him up. He was lifted up under the arms and dragged along. He was unable to put his legs on the ground, one before the other. Colonel Gidley was seated on the opposite side of the table on the left of Major Jacob, about five chairs off. A lady was seated right opposite to Ensign Loft, and another on the same side, only one chair off, and immediately next to Colonel Gidley. About three quarters of an hour after the commencement of the dinner Ensign Loft was dragged out. About ten minutes after this, the cloth was removed. The ladies had not retired before Ensign Loft was dragged out. The circumstance of his being drunk attracted my attention, and the ladies were looking at one another. I did not hear anybody say anything about it. I did not observe that Colonel Gidley's attention was directed to Mr. Loft. I did not see Ensign Loft after he was removed. I had no conversation with him. I am not aware with whom Mr. Loft came to Major Jacob's.

*Cross-examined.*—Ensign Loft wrote an apology the next morning to Major Jacob, and it was accepted. I am not aware of what took place in the orderly room; I am not aware that Mr. Loft was reprimanded. His face is always very red.

*By the Court.*—I did not see the apology which Ensign Loft wrote. I saw a note from Major Jacob to Lieutenant Raikes, in which he said that Ensign Loft had sent an apology, which he accepted, and at the same time advising him not

to ruin himself. The letter was read to me. I am not aware that Major Jacob was or was not convinced that Mr. Loft was drunk.—[*The witness retires.*]

FOURTH DAY, THURSDAY, 23RD FEBRUARY, 1854.

3RD WITNESS, *Lieutenant Raihes*, of the Cutch Irregular Horse, deposed.—I was stationed at Cutch in April 1853 in the capacity of Assistant Political Agent. I have held that office ever since. Lieutenant-Colonel LeGrand Jacob was the Political Agent. He was Major in April 1853. He is now absent on sick leave. I don't know exactly where. I think however he is beyond the limits of the Bombay Presidency. I had a conversation with Assistant Surgeon Beatty in allusion to a letter written by Major Jacob to the Adjutant General of the Army, in which the subject of an apology by an officer of the 15th Regiment was referred to. The conversation took place a day or two ago. I did not see the letter, as I was absent from Cutch; but Major Jacob informed me of what he wrote. I don't remember the exact words; he mentioned to me the name of Ensign Loft as the person who wrote the apology. He accepted the apology; I mean that Major Jacob did not take any official notice of Mr. Loft's conduct, beyond speaking to him personally on the subject. I am acquainted with Major Jacob's hand-writing. This Exhibit [Letter from Major Jacob to Lieut-Colonel Green, C. B., Acting Deputy Adjutant General] now shown me, dated Mahabeshwur 24th October 1853, is in the hand-writing of Major Jacob; [extract from this was here read by the Prosecutor, Paragraph 4, which is subjoined.]

"4.—A day or two afterwards I issued formal invitations to all the Society of the station, and on this occasion it was found necessary, before dinner was over, to remove one of the young officers of the 15th Regt. from the table, ladies being present; he sent next day an apology and I called on him hoping thereby I might save him from ruin by friendly but appropriate warning."

This is the letter to which I alluded, and it is in the hand-writing of Major Jacob. I did not see the apology. The impression on my mind left from various conversations with Major Jacob is, that he considered Mr. Loft to have been intoxicated at his table, and that it was for that he apologised; hence the cause of the warning by him to Mr. Loft.—[*The witness retires.*]

Major Watkin recalled and examined.—I was present at a dinner given by the Political Agent of Cutch in April 1853. There were some ladies present. Colonel Gidley was there. Ensign Loft was present. He was immediately on my right and Dr. Elliot was on my left. Colonel Gidley was on the opposite side of the table, near Major Jacob, he was probably four chairs off from Ensign Loft. A lady was sitting nearly opposite to Ensign Loft. I remarked that Ensign Loft was dead drunk on the occasion with his head on the table. He was assisted by Ensign Hammond and myself out of the room. The ladies had not retired from the table before Ensign Loft was removed. I am certain of this. He was removed by being lifted up under his arms; he was both speechless and powerless. His removal from the table must have attracted attention; there was a general buzz in the room. I had a conversation with Lieut. Colonel Gidley that night on the subject of Ensign Loft's conduct. I mentioned to Lieut. Colonel Gidley that I interceded for Ensign Loft, in consequence of his being the youngest Ensign but one in the Regiment; and that Lieut. Cornyn was sent home drunk from the Durbar some days before that, and no notice whatever was taken of it; and that if Lieut. Colonel Gidley would keep a tight hand on the officers of the Regiment, such scenes as had been witnessed would not occur. Colonel Gidley made no reply that I remember of. I was second in command at that time. I do not know how Ensign Loft's conduct was investigated the next morning. I don't know if it was investigated at all.

*Cross-examined.*—Colonel Gidley most decidedly was not going to the Adjutant for the purpose of placing Ensign Loft under arrest. I merely interceded because Ensign Loft was nearly the youngest man in the Regiment. When I interceded for Ensign Loft, I did not think that Colonel Gidley, if he did take any notice of his conduct, would have done more than reprimand him, or order him to apologize. Colonel Gidley was perfectly aware that Ensign Loft was drunk when taken from the table before I spoke to him; and I wish to add that I did not think my intercession would have had any weight with Colonel Gidley. As I knew that no notice was taken of Lieut. Comyn's conduct, who was going drunk to the Durbar, and whom I sent home, I thought that I should speak to Colonel Gidley on the subject of Ensign Loft's conduct, and intercede; because it would be an injustice to bring a younger officer to a Court Martial when an older officer's misconduct was not taken notice of. This was certainly my reason for interceding. I doubted whether my intercession would have any effect or not. I interfered for Ensign Loft, as I felt an injustice would have been done if he had been brought forward when an older officer had been sent home drunk and no notice taken of his conduct. In saying that it would have been an injustice to bring Ensign Loft to a Court Martial, I meant to say to bring him forward, I did not intend to use the words "Court Martial." By "bringing forward" (Ensign Loft,) I mean giving him a public reprimand. I did not wish Colonel Gidley to give Ensign Loft a more severe punishment than administering him a reprimand or making him apologize; I did not think he deserved a more severe punishment, in consequence of Lieutenant Comyn having been let off. My intercession was with the view to prevent Colonel Gidley publicly reprimanding Ensign Loft. I am not aware that Ensign Loft was privately reprimanded.

*By the Court.*—In the event of an officer being officially reprimanded by the Commanding Officer of the Corps, I ought, as second in command, to have been ordered to attend. I can't speak of the practice of the Regiment, having joined it only a short time. I have never seen any cases of this kind before, although I still think that I ought to have been ordered to attend. I cannot say whether by the practice of the Regiment I should have been so ordered—that would depend upon the Commanding Officer. I have been absent from the 15th Regiment, and rejoined it at Bhooj on the 25th of February 1853, from sick leave to England. I can't say how long Colonel Gidley commanded the Regiment. He was in command when I joined. While second in command, I attended the orderly room on three or four occasions (after rejoining the Regiment from sick leave) when I had occasion to bring complaints against certain officers. Colonel Gidley never, that I remember, sent for me to attend at the orderly room. The orderly room was generally held at the Adjutant's quarters, that is as far as I know.—[*The witness retires.*]

*The Rev. Thomas Watson* recalled and examined.—I was at a dinner party given in April 1853 by Major Jacob to the Society at Bhooj. There were four ladies present on that occasion. Colonel Gidley was there. Ensign Loft was there. I was seated at table, the next but one to him on his right. Colonel Gidley was on the opposite side of the table about six chairs off. My attention was first attracted to Mr. Loft by hearing him asking so many people to drink wine and beer. I then heard him speak in an angry and husky tone of voice like that of a drunken man, to a servant behind him. The next thing I observed was his head down on the table; then I saw Ensign Hammond pushing him in the side, when Ensign Loft raised his head and put it down again.

#### FIFTH DAY, FRIDAY, 26th FEBRUARY 1851.

*The Revd. Thomas Watson's* examination continued.—In addition to what I stated yesterday as having remarked in the conduct of Ensign Loft, I noticed that

Ensign Hammond again pushed him in the side endeavouring to arouse him, but without effect. A short time afterwards, the servants came to remove the cloth, but could not do so, because Mr. Loft's head was still on the table. Ensign Hammond again endeavoured to rouse him, and not being able to do so, he and Major Watkin carried him out of the room. The circumstance attracted the attention of the whole room. Colonel Gidley did not at the dinner table address Ensign Loft, nor otherwise notice his conduct.—[*The witness retires.*]

*Captain Kane*, 15th Regiment N. I., recalled and examined—I was at a dinner party given by Major Jacob in the month of April to the Society at school. Colonel Gidley and Ensign Loft were there. I was on the one side of the table near the end, and Ensign Loft was on the other side, three chairs from the farther end. I considered Ensign Loft dead drunk on that occasion. I was led to form that opinion having been attracted by his falling with his head and arms on the table. I cannot tell how soon after, but as far as I can recollect it was immediately after that, he was carried away bodily by Major Watkin and Ensign Hammond. I was carrying away bodily. I mean that each of these officers held Mr. Loft under the arm and supported him out. He was not able to walk. The circumstance attracted the attention of all those near whom I was sitting—it attracted Colonel Gidley's attention as well. I saw by the motion of Colonel Gidley's eye, who was seated next but one to me, and looked towards me, that he noticed what had occurred. I was Adjutant of the Regiment at that time. When we had retired into the Drawing-room, Colonel Gidley, who was standing near one of the doors of the room leading to a verandah, motioned to me to come up to him. I went up to him, he asked what I thought of it, alluding to this occurrence. I said I was greatly disgusted at the recurrence of these scenes. I said I thought it was very disgraceful, that we could not, as a body of officers, appear any where in public without some one officer getting drunk, and I hoped that he would take some notice of this occurrence. I alluded to some other occurrence, which appeared to be disagreeable to Colonel Gidley, and he left my side. No official notice whatever had been taken of Ensign Loft's conduct; at least, I fancy I should have been the channel of communication if there had been, as I was Adjutant of the Regiment.

*Cross-examined.*—Colonel Gidley never motioned to me to remove Ensign Loft at dinner. Colonel Gidley did not order me to write and direct Ensign Loft to attend at his, the Colonel's, quarters, the next morning, on duty, and I never did so. I saw Ensign Loft in the drawing-room before dinner, and his appearance was flushed and what it generally was at that period after he had been drinking. No act of Ensign Loft's before dinner besides his flushed appearance led me to consider that he was drunk. I do not think that drunkards are generally pale-faced men, but flushed. I do not state that Ensign Loft was drunk before dinner. I do assume from Ensign Loft's appearance before dinner that he had been drinking. About that period, Ensign Loft's face was always particularly red, and though of hectic appearance, he was more flushed after drinking than he was naturally. Ensign Loft is a man of a florid complexion; I have seen his face moderately red. Ensign Loft was dead drunk at very nearly the end of dinner, the second course was either removed, or about to be removed. It must have been more than half an hour after we had sat down to dinner. I don't think it was quite an hour. I can only at this distant period judge as to the time a dinner of the kind usually takes in serving out. Until asked the question, I never gave the subject a thought as to time. During the dinner Ensign Loft was not noisy, nor did I see or hear anything improper or ungentlemanly, until my attention was attracted, as I have before said, by his falling on the table. Drunkenness affects different people differently.

[The Court refused to entertain the following question:—"Under all these circumstances,—first his being sober before dinner,—second, the short interval

clashing between his sitting down to dinner and alleged drunkenness,—third, his being, as you allege, a habitual drunkard, and a small quantity of drink not being likely to take effect. Can you not conceive the possibility of his prostration being caused by other means than drink?"]

I have not the slightest recollection of ever having ordered Ensign Loft either by word or letter, nor have I any recollection of being ordered by Colonel Gidley to direct Ensign Loft, to attend at his quarters the morning after dinner. My impression is that Colonel Gidley told me that evening, that he would send for Ensign Loft himself. I will state positively that I do not believe I was ever ordered to direct Mr. Loft to attend at Colonel Gidley's quarters, because I never heard from Colonel Gidley how the matter was settled, and I think Colonel Gidley, in a conversation, said to me he would himself send for Mr. Loft, and I know that the matter was privately settled. I do not recollect ever writing to Ensign Loft privately or otherwise to attend at Colonel Gidley's quarters. I do not recollect communicating with Ensign Loft on the subject in any way. I never heard of Ensign Loft being reprimanded by Colonel Gidley. I heard from Major Jacob that the matter had been privately settled, and I think from Major Watkin that Ensign Loft had written a note of apology to Major Jacob, which was accepted, and I may also say that this circumstance was known generally amongst the officers with whom I associated. I believe that the apology was written at the instigation of Colonel Gidley. I certainly think that the general wish of the officers was that Ensign Loft's conduct should escape any more serious notice than a severe reprimand; by reprimand, I mean a *public* reprimand. For all that I know to the contrary, at the same time that Colonel Gidley instigated Ensign Loft to write the apology, he might have reprimanded him privately. I do not know any instance of Colonel Gidley's having reprimanded an officer, either privately or officially. When I have brought complaints of impropriety against some of the officers to Colonel Gidley, he has told me that I should esteem my brother-officers more, and not be bringing such matters against them to his notice; but I don't consider these to be reprimands. I wish to correct what I said before, namely, that I did not know of any instance in which Colonel Gidley had reprimanded any officer: I recollect an instance as regards myself, which I consider was official, I being Adjutant; no one else was present. I cannot answer the question whether in all the instances I know of officers being censured by Colonel Gidley, the censure was in private, that is between Colonel Gidley and the censured officer—because I consider the question an ambiguous one. I recollect no instance of an officer being censured in any way, excepting myself, as I have already stated.

#### SIXTH DAY, MONDAY, 27th FEBRUARY, 1851.

Captain Kane was recalled and examined at the request of the Prisoner's Counsel. His examination on Friday was read over by the Deputy Judge, Advocate General, and Captain Kane wishing to make some remarks upon that evidence, the Court closed for the purpose of deciding upon its expediency, and when his request was allowed, Captain Kane stated as follows:—When I was last under examination, the Court might remember upon being questioned about Colonel Gidley's reprimand, I wished to enter into certain details which I was prohibited from doing; when I said I only recollected one instance as regards myself, I did not mean that that was the only instance, as it would appear if I was permitted to enter into other instances; if the Court choose, I am ready to mention as many instances as I can at present recollect in which Colonel Gidley expressed his disapprobation of my conduct. With respect to the one alluded to, I mentioned that in particular, as being the only case I could recollect in which the reprimand might be looked on as a private one, no one but Colonel Gidley and myself being

present. In other instances which I could mention, if called upon to do so, Colonel Gidley's displeasure was signified to me in a more public manner.

**Captain Kane re-examined.**—I have been reprimanded in public orders for disobeying Regimental orders. It was in September last. I was in sick quarters, and being considered convalescent by the medical officer, I had his permission to take morning and evening exercise, and on a Sunday on the strength of that permission I attended the evening church service which was performed in a house distant about one hundred yards from my own, and although there were not above a dozen Europeans in camp at that time, and Colonel Gidley was not present there that evening, only four or five persons having attended, I, as second in command at the time, was publicly reprimanded in orders for going to church.

**Cross-examined.**—I was the Adjutant at this time.

[The following question was not allowed by the Court :—" You said you had not known any instance of an officer being reprimanded publicly or privately by Colonel Gidley, are we now to understand that both have taken place in your own case." ]—[ *The witness retires.* ]

The Court next proceeded to take evidence on the Fourth Instance of the Charge.

**Lieutenant Mellersh**, of the Artillery, examined—I remember a Nautch being given by the European Officers of the 15th Regiment, but I do not recollect the month or date. It was on the occasion of new colors being presented to the Regiment. I was present there. I believe most of the native officers of the Regiment were also present. Colonel Gidley, Lieutenant Kane, Lieutenant Thompson, Lieutenant Coles, Ensigns Hammond and Loft and Dr. Elliot were some of the Officers there, whose names I recollect. Dr. Elliot, who was sitting next to me, was intoxicated, and making a great noise, talking to the sepoys in an absurd way, and Ensign Hammond also appeared to be very much the worse for liquor. He was making a disturbance at the Nautch. There was no other Officer creating a disturbance. The Nautch was held in a tent near the Sepoys' lines. It was after mess at night. Colonel Gidley was in the tent when Dr. Elliot was behaving in the manner I described. I was sitting between Colonel Gidley and Dr. Elliot; the three chairs were close together. Ensign Hammond was sitting three chairs beyond Dr. Elliot. I saw Ensign Loft when I was leaving the tent, and he appeared to be drunk. Dr. Elliot's absurdity consisted of his calling the sepoys by certain names, and asking them whether those were their names or castes, and then he burst out laughing. He did not know one of the Sepoys' names. There was nothing that I heard Ensign Hammond say in particular, except when he came behind Colonel Gidley's chair and said in a loud angry voice—" Colonel, do you see any thing wrong in my dress," or words to that effect. After that, he left Colonel Gidley and called out at the other end of the tent, " by God I'll have justice at the orderly room," or words to that effect. Colonel Gidley took no further notice of this conduct than by motioning Ensign Hammond away, and said something, either go away, or be quiet, no more than two words I should say. I thought Ensign Loft was drunk from the appearance of his face, which was red all over. I took no particular notice of him beyond that. I have no recollection of his saying or doing any thing particular. I was there shortly before Colonel Gidley's arrival. I don't recollect having seen him enter the place. He came and sat down by me. I may have remained at the Nautch for about an hour. I cannot be certain. I left as early as I could. I thought there would be a disturbance at the Nautch, but I had not previously made up my mind as to how long I should stay. I might have remained longer were it not that I saw all these things going on. I was requested by an Officer to leave.

**By the Prisoner.**—Ensign Loft was inside the tent when I was there. As far as I

know of Natches the music and the singing are the only noisy portions of it, at times people might be compelled to speak loud, but I was at that time holding a conversation with Colonel Gidley in a low tone of voice and could hear. Ensign Hammond was drunk in the usual acceptation of the term. Doctor Elliot and Ensign Hammond did not sit close to me; I know they were sitting together, but I did not particularly observe it at the time. I have not had an opportunity of observing whether they were good friends. I should not consider a man drunk solely from his talking aloud; it depends upon his manner of talking, whether he talks sense or otherwise. It was Ensign Hammond's violent behaviour that led me to consider that he was drunk. He was talking in a loud angry manner in the presence of his commanding officer; I judged also from his manner of talking afterwards. He would not certainly have done so if he had been sober. His behaviour moreover was calculated to create a disturbance. I was told by Lieut Kane of the expression which I alluded to before while speaking of this affair. I asked him what the meaning of Ensign Hammond's question to Colonel Gidley about his dress was; he (Lieut. Kane) said he had remonstrated with him, about the noise he was making, and about I think his dress; but in what way I am not aware. I don't know if Lieut. Kane told him that he, Ensign Hammond, was drunk. I saw nothing improper in his dress. I should be angry if I was accused of being drunk, but I should take particular care to have it proved that I was not in that state supposing I was sober. I should think that if an officer be accused of being drunk, he should take immediate measures to prove that he was not so; but if he neglects to do so, an inference might be drawn that he was drunk. I don't know if Ensign Hammond ever took any measures to prove that he was not drunk. If Lieut. Kane told him when they were sitting together that he was drunk, he did not take any measures to prove himself sober. There was nothing beyond Ensign Loft's appearance and red face that led me to suppose he was drunk. The officers of the 15th Regiment who went to the Natch had the dress on which they wore at the Mess. I dined at the Mess. Ensigns Hammond and Loft did not dine there.

*By the Court.*—A drunken man would be more angry and excited than a sober man would be under the same circumstances. It is, however, a matter of opinion and depends on the natural temperaments.—[Witness retires.]

*Lieutenant Coles*, deposed:—It was on or about the 20th of April that a Natch was given by the officers of the 15th Regiment. I was present. There were native officers also present. Lieut. Kane, Colonel Gidley, Ensigns Hammond and Loft, Lieut. Thomson and Dr. Elliot, all of the 15th Regiment, were present. I heard Ensign Hammond and Dr. Elliot make absurd and ridiculous expressions. They were drunk. Ensign Hammond was talking aloud. From his manner and appearance I supposed he was drunk. He called out No. 3 company to the front; I'll shew them their way, he then turned round several times and shook hands with a native officer three times; he turned round to me and said, "I love that man." I also saw him embrace Mr. Kane and say "I love you, old fellow." He kept going on making himself very absurd. Lt. Kane asked him to go home, saying "you had much better go home as you are not properly dressed." Dr. Elliot was amusing himself by telling the sepoys their different castes; he went over to three or four of them and over and over again giving them a different caste every time. He was extremely noisy. I heard of Ensign Loft being in the same state. I saw him enter the tent. He was sitting at the further end of the table. I cannot say in what state he was. I was seated between Dr. Elliot and Ensign Hammond.

#### SEVENTH DAY, TUESDAY, 28th FEBRUARY, 1951.

*Lieut. Coles* recalled.—The Natch which I have spoken to was held in a tent. I was at the Natch before Col. Gidley arrived there. I saw him enter the tent. He was accompanied by Ensigns Hammond and Loft. To my knowledge Obi.

Gidley did not take any notice of the conduct of either Ensign Hammond or Ensign Loft.—[ *Witness retires.* ]

*Captain Kane* recalled and examined.—I remember a Nautch having been given on the 20th of April 1853, by the officers of the 15th Regiment, on the occasion of the presentation of new colors. It was held in the Mess-tent in front of the Grenadier Company lines. Almost the whole of the native officers must have been present at it. Col. *Gidley*, Lieut. *Mellersh* (Artillery), the late Dr. *Elliot*, Lieuts. *Thompson*, *Fraser*, *Coles*, *Ensigns Loft* and *Hammond*, and myself are all that I can recollect. I consider that the late Dr. *Elliot*, and *Ensigns Loft* and *Hammond* were intoxicated. Dr. *Elliot's* having been very noisy and behaved in a very absurd manner made me suppose so. He pretended that he recognized various men of the Regiment; that he had seen one man at *Sawunt Warree*, and another at *Vingorla*, calling one man a Brahmin who was probably a *Purwaree*, and another a *Purwaree* who was a Brahmin, making all manner of mistakes of that kind, and screaming and shouting with laughter. His conduct was any thing but proper or dignified as a European officer in the presence of the men. There was no mistake as to his being in liquor. *Ensign Hammond* was also very ridiculous and very undignified in his manner and conduct. He came and sat next to me. I endeavoured all I could to keep him quiet, and told him that he had been enjoying himself too freely. I reminded him where he was, and begged and entreated of him to go home. After some persuasion I succeeded in inducing him to follow my advice, for he left the tent, as he told me, to go home. Shortly afterwards I was attracted by his re-entering and making a very great noise near Colonel *Gidley*, damning and swearing near Colonel *Gidley* or quite close to him, and looking towards me. All I could hear was damning and swearing; I cannot, however, swear to the words. I thought he was abusing me. Dr. *Elliot* was sitting between us and making a noise, so that I could not hear the exact expression. *Ensign Loft's* appearance was very wild, and his manner violent and unnatural towards *Ensign Hammond*. I gave him no cause whatever by word or deed to excite his anger, for in fact he left my side on the best of terms, and said he was coming to breakfast with me next morning. There cannot be a shadow of a doubt that he was drunk at the time. I saw from *Ensign Loft's* appearance that he also was in liquor, and I considered it so disgraceful and so discreditable to see officers in that state on such an occasion in the presence of their men, that I went up to *Ensign Loft* and told him in the most kindly and friendly terms possible that he had been exceeding, and begged of him to go home. *Ensigns Hammond* and *Loft* wore colored shooting coats at the time, and I told them that I did not consider that was a proper dress to wear on such an occasion. A very few days previous to this Nautch, I had issued a circular by order of Colonel *Gidley* on the subject of the dress of officers at Mess, and I thought what was considered an improper dress to attend Mess in, would be an improper one to appear at a Nautch. I consider that the Nautch might be looked on as an official assembly. The dress prescribed for Mess was white clothing. All the other officers were dressed in white. I made no official report to Colonel *Gidley* on the subject of the conduct of *Ensigns Hammond* and *Loft*. I thought the whole scene was so discreditable to the Regiment, that I mentioned it to Colonel *Gidley* with the view to his using his influence to induce these officers to leave the tent quietly. When I mentioned to him what I considered was the conduct of *Ensigns Hammond* and *Loft*, he (Colonel *Gidley*) looked up to the tent-pole and said, "where are they, I don't see them." I then said, I thought this was not proper in the face of the Regiment. Portions of this conversation must have been overheard by Lieutenant *Mellersh*, who was seated next to Colonel *Gidley*. I was at the Nautch before Colonel *Gidley*. *Ensign Loft* was accompanied to the tent by *Ensign Hammond*. I was Adjutant at the time. It does not consist with my own knowledge that Colonel *Gidley* took any official notice of the conduct of *Ensigns Loft* and *Hammond*. I was not

directed, as Adjutant, by Colonel Gidley, to convey a censure to these officers for their conduct at the Nautch.

*Cross-examined.*—I did not officially report Ensign Hammond the next morning to Colonel Gidley. I am certain I never made use of the word "drunk," but it might have been inferred from what I said to Colonel Gidley. I am not in the habit of making use of that expression when talking to gentlemen. I don't think I said "intoxicated" as far as I recollect. I fancy that the expression I made use of was "these officers had exceeded," because I had no intention of saying anything offensive or injurious to these officers, more especially as I knew they had accompanied Colonel Gidley to the Nautch. My only object was to effect their removal from the tent as quietly as possible, the day being an occasion of jubilee in the Regiment. I decidedly gave Colonel Gidley to understand that Ensign Hammond was in liquor. The next morning I received a note from Ensign Hammond; I have not got it; but the purport of it, to the best of my recollection, was to the effect, that he had been informed that I had reported him to Colonel Gidley for being drunk on the previous evening, and he said he thought it very unkind and unfriendly on my part, that it might have proved his ruin, or something to that effect, and he thought it a very hard thing that he could not enjoy himself on an occasion of that kind, and that he considered I would be the last man to do a thing of that kind. I sent a written reply to that note telling him he was perfectly right in saying I was the last man to do him an injury of the kind or any one else if I could avoid doing so. I begged of him to come over to me and that I should explain what had actually occurred between Colonel Gidley and me. This was to the best of my belief the purport of my note. Ensign Hammond returned me a written reply, making some excuse for not having come to me. I saw Ensign Hammond, I don't recollect whether it was that day or the day after; I explained exactly what had taken place between Colonel Gidley and myself, and the reasons which led me to speak to Colonel Gidley on the subject. In the course of that conversation I reminded him that he had come to the Nautch with Colonel Gidley, and that it was folly to suppose that any injury could have been done him owing to what I said to Colonel Gidley, and that from his knowledge of Colonel Gidley he must have been aware that Colonel Gidley would not have taken any serious notice of it, and that he was making up a grievance out of nothing. I think on that occasion Ensign Hammond told me Col. Gidley was his informant, that I had reported him. I never expected Ensign Hammond to breakfast with me on the morning after the Nautch. I had been at the orderly room from a quarter past seven to breakfast time and could not have afforded time to go to any officer's house. I am not sure whether he declined in that note breakfasting, but in the course of the conversation which I had with him, he said he could not eat bread in a man's house who would do him such an injury as to report him for being drunk.

The Court having closed to consider the following question, allowed it to be put;—

*Question.*—You held a staff appointment in Kandeish, were you not dismissed for quarrelling with your commanding officer?

*Answer.*—I lost my Staff Appointment of Bheel Agent at Kandeish for what the Government considered a disobedience of orders.—[*Witness retires.*]

*Dr. Beatty* having been recalled, deposed.—As far as my own personal knowledge extends I never witnessed any thing but gentlemanly conduct on the part of Col. Gidley; I heard he was kind-hearted, but as a military officer I know nothing about him. I am not capable of judging what Col. Gidley should be as a military officer.

EIGHTH DAY, WEDNESDAY, 14<sup>th</sup> MARCH, 1854.

*Captain Kane* re-called and further examined .—

*By the Prisoner.*—I have nothing more to add about Ensign Hammond's conduct at the Nautch beyond what I have already stated. To the best of my recollection Ensign Hammond threw his hands round my neck ; this was about ten minutes after he entered the tent with Ensign Loft. He sat next to me. I endeavoured to persuade him to keep quiet, but he threw his arms round my neck and said, " I like you old fellow." I did not forget this circumstance ; but what I stated before was in general terms. I do not recollect Ensign Hammond saying that he would have justice in the Orderly-room the following morning. I never asked Ensign Hammond to breakfast with me the day after the Nautch. Ensign Hammond invited himself to breakfast with me, making excuses over and over again for not having breakfasted with me according to promise on the evening of the Nautch. This was before I spoke to Colonel Gidley of his conduct. I was first relieved from the Adjutancy of the 15th Regiment on account of my going into sick quarters on the 26th September last. Previous to this, on or about the 19th August, I tendered my resignation of the Adjutancy to the Commander-in-chief, and on the 5th Oct. I was directed to be relieved of the Adjutancy until further orders. To the best of my recollection that was the direction in Regimental Orders. I remember the letter I sent to Colonel Gidley as Commanding Officer ; it was nearly as follows :—" Sir, I have the honor to request that you will be good enough to submit my application for permission to resign the Adjutancy of the Regiment, for the consideration of H. E. the Commander-in-Chief.

2.—" It is due to myself to state that I am compelled to take this step, in consequence of the ill-treatment I have received at your hands, having on three different occasions been publicly insulted by you while in the discharge of my duty.

3.—" The only reason which I can assign for having thus drawn upon myself your displeasure, is in consequence of my having brought to your notice, or having myself taken notice of occurrences which I regret to say have of late greatly jeopardized the character and credit of the Corps, and which, if should it be His Lordship's pleasure, I shall be happy to explain."

Colonel Gidley requested me to withdraw that letter, giving me 24 hours to think over it ; afterwards he requested me to withdraw the 2nd and 3rd paras of the letter, and again the 3rd paragraph. I did not withdraw the letter, but sent it on entire. I was called upon by the Major General Commanding the Division to offer an explanation of my letter, which I did. That explanation, with Colonel Gidley's reply, I suppose, must have gone on to Army Head Quarters, and a Court of Enquiry ensued. This Court Martial is the result of the Court of Enquiry. I believed that Colonel Gidley requested me to withdraw portions of my letter ; the word recommend may have been used by Colonel Gidley. There were three subjects of enquiry before the Court. Nothing has as yet transpired in reference to that which concerned me personally, at least the decision of the Commander-in-Chief has not been made known yet. I don't think I ever remarked to any of the officers that I wished for the Adjutancy. I applied for an investigation of Colonel Gidley's insult in October last, and I withdrew my application because Colonel Gidley had been placed under arrest and ordered off to Kurrachee, and the proceedings of the Court of Enquiry were already so voluminous, that I did not wish to press my request, as it would only give further

trouble, it having already come before that Court somehow or other. The President of the Court of Enquiry was ordered by Major General Somerset to investigate the matter referred to in the above reply. I do not think Colonel Gidley was wholly actuated by kindness of heart, and not wishing to endanger their commission, to overlook the several instances of intoxication on the part of these officers. I did not particularly remark any thing in the shape of a grievance about Colonel Gidley. I did not know Colonel Gidley before I joined the Regiment; but from what I heard from other officers, I was informed that if I applied to Colonel Gidley for the Adjutancy, he would get me the appointment. I applied, and Colonel Gidley recommended me for the situation. But if I stated that Colonel Gidley was the only Lieut. Colonel under whom I would serve as Adjutant, that was impossible, because I never knew Colonel Gidley before I joined the Regiment. When I saw him a few weeks before, I certainly liked him, or otherwise I would never have applied to him for the appointment. I think it was Ensign Hammond who told me to apply to Colonel Gidley for the appointment. Ensign Hammond was then acting Adjutant. I made only one application. Colonel Gidley made me believe that it depended on Major Watkin. Colonel Gidley told me he would speak to Major Watkin on the subject. As I was in the habit of seeing Major Watkin, I asked him the next day, when he told me, that he had not been spoken to; he said if he was consulted he would certainly name me. Colonel Gidley told me that he would wait until he saw Mr. McDonald's name in the General Orders for leave to Europe. Mr. McDonald was then Adjutant. A few nights afterwards Colonel Gidley told me to send in my application in writing before the Left Wing came in. I don't recollect having repeatedly promised to shew him the proceedings of my dismissal from the Bheel Agency; he might have had them as others in the camp had. I never gave them to him, because he never asked me for them. I did not care about Colonel Gidley's seeing them or not. I am not aware of Dr. Elliot being universally beloved among the men and officers of the Regiment. He was a kind old man, that's all I know.—[*Witness retires.*]

The Court next proceeded to take evidence on the Fifth Instance of the First Charge.

*Lieut Coles, 15th Regt. N. I., deposed.*—On or about the 13th of April I had occasion to call for the services of Surg. Elliot. I wrote to him as I had fever, requesting him to put me in sick quarters. I sent the letter by my ghorawalla. Dr. Elliot came to me between eight and nine o'clock in the evening. He was then drunk. He staggered into the room and seated himself. He told me I had burning fever. He never offered to prescribe for me nor came near me. I told him I wished to be put in sick quarters and requested him to write a certificate. He attempted to write twice, but as he was drunk he could not write; he said he did not know what was the matter with him; he destroyed the papers. He then commenced singing and laughing. He talked a good deal of nonsense about his dear wife,—he said he wished to have another. I then reminded him to put me in sick quarters, and let the hospital people know, as there was a parade in the morning. He wrote something on a piece of paper and put it into his pocket; but I did not see what it was. I told him I wanted to go to bed and it was time to go. Instead of going straight down the steps he was walking at the sides. I seized him by the arms, assisted him down the steps, and put him into his gharee. He then commenced singing in French, shouting to his ghoraw-

walla, and left my house. I heard him shouting some distance from my house. There are about twelve steps to my house. The precipitate height is about eight feet.

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NINTH DAY, FRIDAY, 3RD MARCH 1854.

*Lieutenant Coles* recalled and further examined.—I was never in sick quarters in Bhooj before the month of April 1853. I arrived at Bhooj as well as I remember on the 11th of January 1853. I am not positive as to the date. I was never in sick quarters until the month of Oct., when I went on sick certificate to Mandavie. I do not remember any other day but that alluded to on Wednesday, when I asked for Dr. Elliot's professional aid by letter.

*By the Prisoner.*—I did not report to Colonel Gidley that Dr. Elliot had come drunk to my house, as I heard that Dr. Elliot had come from Colonel Gidley's house, thus giving me no occasion to report it. Colonel Gidley's house was about half a mile from my own. One house was on the extreme right and the other on the extreme left of the camp. If Dr. Elliot had been at Colonel Gidley's he would have had to pass his own house on his way to mine.

*By the Court.*—I sent for Dr. Elliot about seven o'clock, and he arrived at about half past eight. I heard from Dr. Elliot that he was at Colonel Gidley's house, and also from my Ghorawalla Gopal, by whom I sent a note to him. On the horsekeeper's return I asked him if Dr. Elliot was coming, to which he replied that he was sitting with Colonel Gidley at his house. I think it was about half an hour or little more between the Ghorawalla's going with the chit and returning to my house. The purport of my note to Dr. Elliot was, to put me in sick quarters.—[*Witness retires.*]

10TH WITNESS, *Gopal, Ghorawalla*, stated on affirmation.—I am in the service of Lieut. Coles, of the 15th Regt. N. I. I cannot state positively, but about eleven months ago, I took a note from my master to Dr. Elliot. When I gave the note to Dr. Elliot, he was at Col. Gidley's house, Col. Gidley was with Dr. Elliot when I delivered the note, nobody else was there. I saw them with my own eyes. They were together. Col. Gidley and Dr. Elliot were sitting in the front verandah of Colonel Gidley's house when I saw them.

*By the Prisoner.*—The sentry at Colonel Gidley's was not on the side from which I came. He was on the other side and said nothing to me. I delivered the note to Dr. Elliot at a quarter to seven o'clock in the evening. I don't know when Dr. Elliot arrived at my master's house. When I delivered the note to Dr. Elliot he told me to go to his house and order his gharry to Colonel Gidley's house. I then sent the gharry to Colonel Gidley's and went home. I did not see Dr. Elliot on my way from Colonel Gidley's house to my master's. Dr. Elliot was seated in a chair when I delivered the note to him, and I perceived nothing extraordinary about him. He was seated quietly in his chair.—[*Witness retires.*]

The Court next proceeded to take evidence on the Sixth Instance of the First Charge.

*Lieut. Mellersh*, of the Artillery, recalled and examined.—I was present in the Billiard-room of the 15th Regt. on the evening of the 13th Aug. Lieut. Laurie was there. While I was in the Billiard-room that evening with some other

officers, Lieut. Laurie came in and made use of language, which was very offensive to those present, and his manner was calculated to create a disturbance. He looked round at those in the room when he came and called out more than once—"what is all this about, where is the marking-board." He came in swaggering, his manner was supercilious, and his tone of voice was overbearing. Lieut. Laurie was at that time very much the worse for liquor. I have seen him often enough to judge when he was, and when he was not, the worse for liquor. Lieutenants Kane and Stileman, the late Lieutenant Stephenson of Artillery, Lieutenants Raikes, Stevens, and Hoskins were in the Billiard-room besides myself. I heard Lieutenant Kane say to Lieutenant Laurie when he was walking round the table, "Laurie, what is the matter?" or words to that effect. Lieutenant Laurie turned round and looked at him in a defiant manner and answered, there was nothing the matter with him. Upon which Lieut. Kane said, "then you had better sit down and be quiet." Lieutenant Laurie, however, still continued looking in the same defiant way at Lieutenant Kane, who was playing billiards, and Lieutenant Kane seeing this said to him, "I cannot stand any of your *behauling*," or words to that effect, he also told him he was in liquor and had better sit down. Lieutenant Laurie, after a short time did so. I saw Colonel Gidley in the Billiard-room on that occasion. I think he entered within ten minutes after Lieutenant Laurie came in. Colonel Gidley at that time was saying,—"say whatever you have to say to me at the Orderly-room on Monday morning." On Saturday this took place. Colonel Gidley addressed Captain Kane in a very loud tone of voice. I did not observe Captain Kane speak to Colonel Gidley. Dr. Elliot was there when Colonel Gidley spoke to Captain Kane. Dr. Elliot called out, "that's right Colonel Gidley, that is a clincher." He stood in the same position as before; he said nothing. It was in a loud exulting tone of voice that he said the foregoing. I was standing on the opposite side near the head of the Billiard-table; and Dr. Elliot was sitting near the same end of the table. It was within twelve feet of him Colonel Gidley was sitting. It was past eight o'clock in the evening, after the Mess dinner. The Billiard table is about fifteen feet from the Mess table. I saw Col. Gidley go outside the Billiard room with Mr. Laurie and apparently at Mr. Laurie's request, for when Col. Gidley first came into the Billiard-room, I observed Lieut. Laurie say something to him, immediately after which they went out. This was before the conversation. I went to Col. Gidley in the Billiard-room some time after Lieut. Laurie and Lieut. Kane came there; Col. Gidley did not mention the subject at that time. On the following Monday morning Col. Gidley sent for me about twelve o'clock. Ensign Hammond was present; Col. Gidley began speaking about the scene that had occurred on the previous Saturday, in the Billiard room, questioning me in an indirect manner by stating his opinions regarding the scene, and drawing out my opinions in that way without asking me any direct questions. He also shewed me two statements, one written by Lieut. Kane and the other by Lieut. Laurie; he then asked me my opinion regarding these two statements, and I told him that Lieut. Laurie's statement was incorrect, and that Lieut. Laurie had been drunk on that night. Col. Gidley said that there were several officers who were prepared to state to the contrary, and told me that when he went into the Billiard-room he observed Mr. Kane to be in an excited state, much more like a drunken man than Mr. Laurie, and Col. Gidley asked me whether Mr. Kane had told Mr. Laurie that he was

Drunk on that occasion. Ensign Hammond corrected Col. Gidley's question by saying it was a mistake of Col. Gidley ; and said, " I think Mr. Kane told you (witness) that Mr. Laurie was drunk" ; I said, Mr. Kane never told me so, but that he had asked my opinion on that day. I dined on that evening at the late Lieut. Stephenson's house ; Mr. Kane dined there also. I never saw Mr. Kane in a state that I could pronounce to be drunk. When Mr. Kane asked my opinion about Lieut. Laurie, I shrugged my shoulders.

*Cross-examined.*—When Col. Gidley entered the Billiard-room, Mr. Laurie was sitting on a chair. Col. Gidley must have seen Lieut. Laurie was drunk. Lieut. Laurie did nothing particular in his presence in the Billiard-room. He certainly appeared like a drunken man when Col. Gidley addressed him. He presented the same appearance as he did before the Colonel entered the room. I cannot explain his particular manner at the time ; but I having seen him (Lieut. Laurie) drunk at the Mess table on a former occasion, I was able to see at once that he was drunk. He did not stagger ; he did not make any noise ; he did nothing remarkable for a drunken man. A man does not always do something outrageous when he is drunk. Lieut. Laurie's conduct on being accused of being drunk by Captain Kane, in sitting quietly down and waiting for Col. Gidley to come in and then address him, would be that of a sober and prudent man. Lieut. Laurie's manner was not the same when he went out with Col. Gidley as when he came in, and when Captain Kane said his (Lieut. Laurie's) manner was "*bukadooree*" in the Billiard-room. I did not observe Lieut. Laurie so particularly as to state that he was drunk when he went up to Col. Gidley ; supposing I had not seen him before I should not have probably noticed that he was drunk.

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TENTH DAY, SATURDAY, 4TH MARCH, 1851.

*Lieutenant Mellersh's examination continued.*—*By the Court.*—Lieutenant Laurie's conduct in the Billiard-room might have been attributed to disappointment from the table being engaged, or from dislike to some of the officers there ; his conduct was very rude, and he walked round the table without giving any sign of recognition to any one in the room at the time, thereby showing intentional slight and insult to all parties present. He was also drunk as I said before. Colonel Gidley evidently was not desirous of impartially enquiring into the matter, for by the remarks he made to me, I saw that he was anxious to lay the whole blame of the occurrences of that evening on Lieut. Kane. The senior Officer in the Billiard-room previous to the arrival of Colonel Gidley, was Lieut. Kane. I consider the conduct of Lieut. Laurie on that occasion, was calculated to disturb the harmony of the evening, if allowed to pass unnoticed. I don't think the notice Lieut. Kane took of Lieut. Laurie's conduct was either harsh or severe. Lieutenant Laurie was drunk and misbehaving himself in the Billiard-room, and I consider Lieut. Kane was perfectly right in preventing a disturbance. I certainly suppose that Colonel Gidley was laying the whole blame of the matter on Lieut. Kane, contrary to his conviction of its groundlessness. Lieut. Laurie did not commit himself at the time he went up to Colonel Gidley in the Billiard-room as I mentioned before. I consider that one of the circumstances which happened afterwards tended to shew that Mr. Laurie was drunk, and from which Colonel Gidley also must have been aware of it. The circumstance was, that Lieut. Laurie who had been sitting on a chair ever since he came a second time into the Billiard-room with Colonel Gidley, asked Dr. Elliot to lend him his bullock cart to go home. The bullock cart was not ready, and Lieut. Laurie made a rush out of the door, with a very unusual gait, try-

ing to keep himself as steady as possible. If Lieut. Laurie had not reported the matter to Colonel Gidley, I don't know whether Lieut. Kane would have done so—such an idea had not entered my thought, so that I am unable to give an opinion on it. I should say that Lieut. Laurie was in the Billiard-room altogether for an hour. Lieut. Laurie did three days afterwards apologize for his rudeness to the officers in the Billiard-room. It was on the Tuesday following. It was a written apology addressed to all those Officers who were in the Billiard-room on the evening when he entered it first. Lieut. Kane was the person who demanded the apology through Colonel Gidley. The letter of apology admitted offensive behaviour towards those whose names were specified, and expressed regret.—  
[*Witness retires.*]

*Lieutenant Raikes*, deposed.—On the 13th of August last something unusual occurred in the Billiard-room of the 15th Regiment N. I. Lieut. Laurie was there. His manner was overbearing and extraordinary, and such as is unusual in gentlemanly society. Lieut. Laurie came into the room, and without noticing any others who were there, with his hand on his hips bounced down the room expressing surprise at what was going on. Myself and others had gone from the Artillery Mess-room where we dined, to that of the 15th Regiment, to have a game of Billiards. On reaching the end of the room, Mr. Laurie looked intently at something on the wall and made enquiries for the marker or marking board, both the one and the other however, were at the opposite end of the room, in which direction he presently proceeded, and in the same jaunting way in which he had entered. On seeing the unseemly mode in which he was behaving, and that he appeared to be in liquor, Lieut. Kane went up to and told him that he was in liquor and asked him to sit down, and I think he added "sit down and be quiet." I did not know at the time in what state Lieut. Laurie was, whether drunk or sober, as I never before had seen him, but judging of his appearance and behaviour on that occasion as compared with what they were on a subsequent occasion when I met him on a point of duty, I believed him to have been drunk on the former occasion. My opinion of Lieut. Laurie's conduct in the Billiard room was, that it was ungentlemanly, for such is unusual in gentlemanly society. The senior Officer in the Billiard-room when Lieutenant Laurie was so acting, was Lieut. Kane. The notice that Lieut. Kane took of his conduct, was not, I consider, unusually harsh. I saw Colonel Gidley in the Billiard-room that evening; he came in afterwards, that is, after Lieut. Laurie was directed by Lieut. Kane to keep quiet. Shortly after Col. Gidley entered the room, Lieut. Kane went up to him and asked him if he might speak to him for a moment. I am not aware that Lieut. Kane had mentioned the subject upon which he wished to speak to him, but from what had just taken place I naturally concluded that it had reference to Lieut. Laurie. Col. Gidley replied, "I will have nothing to say to you now, come on Monday morning to the Orderly-room, there will be plenty of time to hear what you have to say," or words to that effect. I was standing quite close to Col. Gidley and Lieut. Kane at the time, and was much astonished at Col. Gidley's reply. I am not aware that Col. Gidley took any further notice of the matter. Almost immediately after the conversation above alluded to took place, I left the Billiard-room. I don't recollect in what tone of voice in particular Col. Gidley addressed Lieut. Kane on that occasion, it was sufficiently loud for any body near at hand to have heard. Dr. Elliot was also in the Billiard-room at the time Col. Gidley entered it. After Col. Gidley had spoken to Lieut. Kane, Dr. Elliot said "well done Colonel," or words to that effect. I am not aware whether Col. Gidley took any notice of Dr. Elliot's remark. I did not observe Dr. Elliot's manner when he so spoke, being engaged in a game of Billiards; his tone was that of approbation. Dr. Elliot was on one side of the room and we in the centre. Dr. Elliot was ten or twelve feet from Col. Gidley as far as I can remember, I saw Col. Gidley two or three times previously to this.

*Cross examined.*—As I had not seen Lieut. Laurie before, I was an imperfect judge whether he was drunk or not on the night in the Billiard-room at the time. Supposing a charge had been brought against Lieut. Laurie next morning, and I had not seen him since preceding night, I would not in such a contingency state, he was drunk. At the time when I met Lieut. Laurie on a matter of duty Col. Gidley was present; and in his presence I don't know why Lieut. Laurie's manner should be different to what it would be in his own Regimental Billiard-room, and with officers of his own age and rank. Supposing for argument that Lieut. Laurie was drunk, he did not commit any act of drunkenness in the presence of Col. Gidley that I saw. [The question,—‘You don't consider the presence of a Commanding officer of more importance than that of young men in the regiment,’ was disallowed.]

*By the Court.*—I was surprised at Lieut. Laurie's manner, as it appeared rude and incautious. I cannot speak positively as to what occurred in the presence of Col. Gidley.—[*Witness retires.*]

11TH WITNESS, *Lieutenant Hoskins* deposed.—I was present on the 13th of August last in the Billiard-room of the 15th Regiment. Lieut. Laurie of the 15th Regiment was there. After we had been there a little while Mr. Laurie came in using insulting gestures and expressions enquiring what the devil the meaning of all that was; he pushed his way among us, and continued asking where the marking board was. Lieuts. Raikes, Kane, Stephenson, Stileman, Mellersh and myself were there. I came from the Artillery Mess. Lieut. Laurie strutted up to the table and pushed himself among the players. I consider him to have been drunk at the time. I had seen him drunk before at the Mess. I consider him to have insulted the whole of those who were present in the room. Lieut. Kane was the senior officer among them. He went up to him and said, “I will have none of your *Bahoodering* here, you are in liquor, and had better sit down.” I do not consider the notice of Lieut. Laurie's conduct by Lieut. Kane harsh or severe. I saw Col. Gidley in the Billiard-room.

#### ELEVENTH DAY, MONDAY, 6TH MARCH, 1854.

*Lieutenant Hoskins* deposed.—Lieutenant Kane went up to Colonel Gidley and asked him to have a few minutes conversation with him, to which Colonel Gidley replied, “No, Sir, I have nothing to say to you; there will be time enough for you to speak to me in the Orderly-room on Monday morning.” Colonel Gidley addressed Lieut. Kane in an angry and insulting tone of voice. Dr. Elliot was in the Billiard-room when this conversation took place. He said, “Well done, Colonel, that's a good one” or something of that sort. Dr. Elliot spoke in a tone of approval. Colonel Gidley was from him at the time about two or three yards; he was from me about fifteen or sixteen feet. Colonel Gidley did not take any notice of Dr. Elliot's remark that I observed. Colonel Gidley did not take any direct notice of Lieut. Laurie's conduct. Lieut. Kane went out to send for Major Watkin, Col. Gidley followed him and wanted to know what he had to say to him. Lieut. Kane replied that he had already refused to listen to him; and the time was passed; or something of that sort. Some more conversation ensued; but it was in a low tone which I did not hear; and Colonel Gidley and Lieut. Kane afterwards entered the Billiard-room. Major Watkin was at that time second in command.

*Cross-examined.*—Lieut. Laurie was sitting on his chair during the time Colonel Gidley was in the room. He did not commit any act which would lead Col. Gidley to suppose he was drunk. Colonel Gidley saw nothing to take notice of. Lieut. Laurie was at the time Line Adjutant. [*By Court.*—Colonel Gidley was the commanding officer of the Regiment stationed at Bhooj. Lieut. Laurie was subject as Line Adjutant to Colonel Gidley. It was after Lieut. Laurie had taken out Colonel Gidley that Lieut. Kane addressed him. I was in the room till Lieut.

Laurie left; when he went up to Dr. Elliot's bullock-gharee, he walked out in an unsteady manner. I don't recollect any thing particular about his manner to Col. Gidley. He was sitting down apparently cowed at the mode Lieut. Kane had taken him up.

*Cross-examined.*—I became subsequently aware of Lieut. Laurie having reported Lieut. Kane to Colonel Gidley, but not at the time. Lieut. Laurie usually walks in a peculiar manner; he has got a stiff neck. His gait in the Billiard-room at the time appeared to be exaggerated.

*Question.*—When you made use of the word 'cowed' with regard to Lieut. Laurie, when Lieut. Kane spoke to him, and gave this as a reason for his being quiet, do you not think that after he had been accused of being drunk by Lieut. Kane, his sitting down and waiting for his Colonel to report the circumstance was a prudent and sober act?

*Answer.*—If I had been unjustly accused of being drunk I should have gone in and reported the whole occurrence without waiting for the chance of the Colonel coming to the Room; I don't think Lieut. Laurie's act was dictated by sobriety and prudence. He was told authoritatively to sit down and stay there.—[*Witness retires.*]

*Captain Kane, deposed.*—On the 13th of August last I dined with the officers of the Artillery. I entered the Billiard-room of the 15th Regiment at half past eight or a quarter to nine o'clock on that evening. The late Lieut. Stephenson, Lieut. Mellersh, Lieut. Raikes, Lieut. Stileman, and Lieut. Hoskins, accompanied me. Lieut. Laurie, of the 15th Regiment, was there that evening. He rushed into the room: and apparently from his long strides and unnatural way of walking I consider he had drunk too much liquor. He appeared to be very excited and his manner was very offensive. When he entered the room, he said, "what the devil is all this, what the deuce is the meaning of all this; marker! marker! where's the marking board?" He did not give any token of recognition to the officers present. In fact he pointedly cut them. I consider he was drunk. I was the senior officer in the Billiard-room at the time; as such I thought his conduct was so marked a slight to the officers present, who did not belong to the Regiment, that I did take notice of it. I first said, "Well, Laurie, what's the matter with you, what do you want?" He said, he did not want anything. I said "you had better sit down." Instead of doing this, he approached me in a defiant manner, and I put a stop to any further discussion or anything disagreeable taking place before officers who did not belong to the Regiment. I told him, "I'll have none of your bahadoory." I warned him that he was in liquor, and desired him to sit down, which he did. Lieut. Laurie's deportment, when he is sober, is very quiet. When he is under the influence of liquor he is the reverse, in the instances I have heard argumentative and quarrelsome; but when checked by a senior he at once becomes cowed and quiet. I saw Col. Gidley in the Billiard-room that evening. I saw him first standing at the door, when I was playing Billiards; and Lieut. Laurie and Col. Gidley shortly afterwards left the room. After remaining out for some time in the verandah with Lieut. Laurie, Col. Gidley returning into the Billiard-room, I finished my game, and went up to Col. Gidley and solicited permission to speak to him for a moment; Col. Gidley replied to me in a loud and angry manner and tone, "I wish to have nothing to say to you, Sir, quite time enough for you to talk to me on Monday morning in the Orderly-room." After playing Billiards I went out into the verandah and calling a servant, I sent my salaam to Major Watkin, saying I wanted to see him. Col. Gidley heard this and asked me what I had to say to him. He stopped me in the verandah and began talking about some previous occurrence, and afterwards asked me what I was going to say to him (Col. Gidley) in the Billiard-room. Col. Gidley's manner was so harsh, and his conduct altogether towards me so unjustifiable, that I declined entering into the matter, and said that I would speak

to him on the subject in the Orderly-room as he had already desired me. In the Billiard-room afterwards, Col. Gidley said in a jeering manner, loud enough for those near to hear, "Well, is Major Watkin coming? Why don't you send for his head servant," or words to that effect; and again, he asked me what had become of him, and where he was. I replied, I suppose he was in bed. Col. Gidley rejoined, "Ah! best place for him"; and afterwards I left the Billiard-room and went home. Dr. Elliot was in the Billiard-room when Col. Gidley said he had nothing to say to me. I was so stung by Col. Gidley's rebuff that I required great exertions to collect my senses at the time; I cannot state what took place in the the Billiard-room. Col. Gidley took no notice of Lieut. Laurie's conduct that evening that I heard. On the following day, Sunday the 14th, I went to Major Watkin, and told him all that had occurred in the Billiard-room, reminded him of the irregularities so continually occurring in the Regiment, and said that from the treatment I had received from Col. Gidley, that I wished to represent the case to him. Major Watkin agreed with me, and said, he himself would attend the Orderly-room—represent the case to Col. Gidley, or support me in doing so. On Monday the 15th Major Watkin and I attended at Col. Gidley's quarters at about ten o'clock; after some Regimental matters had been transacted, I intended to represent the case in which I appeared before Col. Gidley, but before I could do so he told me that Lieut. Laurie had laid a complaint against me. I then stated to Col. Gidley, respectfully, in effect, that I was the senior officer, and that I wished to mention the subject regarding which I had endeavoured to speak to him on the Saturday previous, in the Billiard-room. Col. Gidley replied;—"Hold your tongue, Sir, and don't dictate to me in my own Orderly-room." He then read out a paper which, he stated, was Lieut. Laurie's complaint against me, and in which I was led to understand by Col. Gidley, that Lieut. Laurie had charged me with accusing him of being drunk, and threatening him with a Court-martial. I interrupted Col. Gidley to assure him that such was not the case. He desired me to hold my tongue, and said to me that I looked more like a drunken man than Lieut. Laurie in the Billiard-room, and that had I said to any one in a Billiard-room what in England I had said to Lieut. Laurie, I should have been knocked down, and that had Lieut. Laurie been drunk, he would have knocked me down. I remonstrated with Col. Gidley in a respectful manner, and he, again in a very angry manner said that I was Drum-Major, Havildar-Major, President of the Band Committee, Adjutant, and Mess Secretary, that I had now been appointed Secretary to the Station Library, and that by God, I wanted to be Commanding Officer and Quarter Master. The conversation was continued between Major Watkin and Col. Gidley, in which I joined, regarding the irregular conduct of the officers; when Col. Gidley wished to imply that we never made any reports to him on the subject. I stated that I had frequently done so, and also asked what good would there be in my making any reports, when I myself had seen Col. Gidley frequently at the Mess when Dr. Elliot was quite drunk, and that I had seen him (Col. Gidley) with Dr. Elliot in a bullock gharree, when Dr. Elliot was drunk; that I had seen another officer at the Mess table drunk, Col. Gidley being present; that I had seen Col. Gidley turn round at the dinner table before the removal of the cloth, and the guests present, and strike a servant with his clenched fist in the face; and that I had seen an officer come from one end of the Mess-room to the other to kick a Mess-servant, and no notice was taken of it. Colonel Gidley would not receive verbally my complaint regarding the Billiard-room affair, but desired me to send it in writing, which I did. Colonel Gidley also told me that he would send for Lieutenant Stephenson and others to ask their opinion on what had occurred; when I begged to be allowed to be present; but he said, "No, there is no necessity for that." He then turned round to Lieutenant Laurie who had just returned, and asked him if he wanted to be present, he said, "Laurie you don't wish to be present, do you?" I remarked that as Colonel Gidley had showed such bias against me in favor of Lieutenant Laurie, I should prefer being present,

but he over-ruled me. During that same Orderly-room, two or three times, I respectfully remonstrated with Colonel Gidley on his manner of treating me then and on certain other occasions ; and I begged him to give me some slight reparation for the injury which he had done to my feelings. Colonel Gidley said he never purposely injured any officer's feelings, that he would treat his subordinates just as he liked, and would make me no reparation. At the present moment, I can't recollect that anything more occurred, and I think that this answer of mine embraces all the principal facts that occurred at that Orderly-room. Before the arrival of Lieutenant Laurie there were no other officers present at the Orderly-room, besides Colonel Gidley, Major Watkin and myself. Colonel Gidley appeared to have read the whole of the paper which he said contained Lieutenant Laurie's complaint against me. I did not remain in the Billiard-room on the evening of the 13th August up to the time Lieutenant Laurie left. The final result of the Billiard-room affair was, that Lieutenant Laurie made an apology in writing to all who had been present. There was only one apology written for his conduct in the Billiard-room.

*Cross-examined.*—I never, previous to the scene in the Billiard-room, accused Ensign Loft either of being drunk or in liquor, nor did I express sorrow for so accusing him ; at the Nauteh I told him that he had exceeded, and recommended him to go home quietly ; and this was in a friendly manner, as I have already stated.

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TWELFTH DAY, TUESDAY, 7th MARCH, 1854

*Captain Kane's Cross-examination continued.*—Lieut. Laurie was, in my opinion drunk in the Billiard-room. [The following letter was put into witness' hand :—]

A.

"Bhooj, August 18th, 1853.

"SIR,—I am desired by the gentlemen, who were present in the Billiard-room on Saturday night last, mentioned in your communication of the 16th instant, to state that they are satisfied with your apology ; but as regards myself, although considering that the *amende* made for your conduct on Saturday last is ample, yet I am unable to pass over the premeditatedly false charge you made against me on Monday morning last to your Commanding Officer, which statement requires further notice.

"I remain, &c.

"(Signed) FRED. KANE, Lieut and Adj. 15th Regt. N. I.

To Lieut. LAURIE, Line Adjt."

I admit this letter ; it is in my handwriting. The false charge alluded to in the above letter was that I threatened him with a Court Martial and being drunk, as I had been informed by Colonel Gidley on the 13th August last. I beg to say that my meaning was that I never made use of the word "drunk," for I considered it was an objectionable and an insulting term to make use of before a gentleman and an officer. I received the original letter, of which the one now produced is a copy ; but I have no recollection of the Postscript, commencing with N. B.

B.

"Thursday, 18th August, 1853.

"SIR,—I am in receipt of your note of this day's date, and am glad that my apology was accepted. In allusion to the concluding part of your note wherein you charge me with making a false charge against you on Monday morning. On comparing my statement with yours, I find you use the words "decidedly the worse for liquor," and I have used the word "drunk," which are nearly the same

in meaning. I am ready to give you whatever satisfaction the Commanding Officer may deem necessary.

“(Signed) R. LAURIE, Line Adjutant.

“To Lieut. KANE, Adjutant 15th Regt.”

The terms decidedly under the influence of liquor I have explained in my statement to Colonel Gidley. A man is either drunk or sober, he cannot be both at the same time. Though there are various stages of drunkenness,—the meaning of “drunk” is the same as being decidedly under the influence of liquor; I do not consider the accusation against Lieut. Laurie unjustifiable. I was under the impression that the expression being “drunk and threatening him with a Court martial” was actually in the complaint Mr. Laurie had handed in against me to Colonel Gidley, as Colonel Gidley stated it was. Colonel Gidley read Lieut. Laurie’s statement or portions of it to me long before he (Lieut. Laurie) entered the Orderly-room. I don’t remember Colonel Gidley reading it a second time. I think the statement was read on the 15th; and my note is dated 18th of August. I may have said or written that I on this occasion considered it my duty to warn Lieut. Laurie to be quiet, or I should be constrained to take notice of his conduct. From what I know of Lieut. Laurie, I think, even in presence of strange company in the Billiard-room, Lieut. Laurie should not have acted in the manner he did even if he was sober.

[Question.—Did you not join a party in the Regiment and elsewhere inimical to your Commanding Officer, in fact was there not a scheme in the Regiment, one party of which you headed? and this unknown to Colonel Gidley? This was disallowed.]

I have already stated that I did not see Lieut. Laurie’s statement. It was read to me by Col. Gidley, and I thought it was Lieut. Laurie’s statement. Previous to writing the note, I considered that what Col. Gidley had read to me in the Orderly-room on the 15th, namely, that I had accused Lieut. Laurie of being drunk and threatened him with a Court-martial, was actually in Lieut. Laurie’s statement; and I assured Col. Gidley that such had not been the case; when Lieut. Laurie afterwards came into the Orderly-room just about ten minutes before it was closed, Col. Gidley never pointed out my objection to Lieut. Laurie; I went home firmly believing that Lieutenant Laurie had so charged me. On the 17th, when I went to Col. Gidley I told him that I intended to make a complaint against Lieut. Laurie for that false statement, namely, that I had accused him of being drunk, and had threatened him with a Court-martial; Col. Gidley even then did not point out to me the mistake I was labouring under; and, on the following day I think, he also received a memo. from me in which I wrote my complaint, without telling me that I was mistaken in writing that note (of the 18th) to Lieut. Laurie; it never occurred to me that it was necessary to enter into details on the subject.

[The subjoined question put by Prisoner, was disallowed :—[Q.—Then you accused Lieut. Laurie of a premeditated false statement before you knew whether it was false or not?]

I did not see any overt acts of drunkenness by Lieutenant Laurie committed in the Billiard-room, in presence of Col. Gidley. I don’t recollect any statement being read by Col. Gidley in Lieutenant Laurie’s presence; I think I heard the statement (Exhibit C.) read at Mandavee at the Court of Enquiry, or it was given to me to read there—this was in October or November, 1853, and whatever I said or did in respect of it is recorded with the proceedings at the Court of Enquiry; and I beg to say that I don’t recollect the whole of that statement—some matter in it appears to me to be new. Col. Gidley had a paper in his hand in the Orderly-room, and it struck me he was reading out of it; it was to the

effect that Lieut. Laurie was in the Billiard-room, and had accidentally rubbed up against me while I was playing. I turned round to him angrily and said he was drunk and threatened him with a Court-martial, and that I had ordered him to sit down.

*Q.*—You spoke to Lieut. Laurie in the following terms, according to your own statement. “I want none of your Bahadbooring; sit down, Sir;” do you not consider if Lieut. Laurie had been drunk, he would then and there have taken serious notice of such language in some other way than by sitting down quietly as you desired him, and reporting the matter to Colonel Gidley!

*A.*—From what I know of Lieut. Laurie, I don’t think he would have acted otherwise than he did.

Colonel Gidley must have been aware just as well as myself, that Lieut. Laurie was drunk, from his appearance, although Lieut. Laurie had not, to my knowledge, committed any overt acts of drunkenness in his presence; and under all the circumstances now mentioned by me, I do not think it was natural and proper that Col. Gidley should pay attention to the Line Adjutant’s charge in preference to mine; in the first instance, Colonel Gidley must have known that I could have had no object in accusing an officer of being drunk before strange officers, if such had not been the case in my opinion; and secondly, when Colonel Gidley was informed by Ensign Hammond, as I was afterwards informed, that I had so charged him, I considered it was Colonel Gidley’s duty either at once to have called me to account for my conduct, or asked me to state what had occurred.

#### THIRTEENTH DAY, WEDNESDAY, 8th MARCH, 1851.

*Captain Kane’s Cross-examination continued.*—There is one marking board in the Billiard-room, if I recollect right; there might have been two, one above the other.

*By the Court.*—*Q.* In reference to the note written by you to Lieut. Laurie alleging he had in his statement made a premeditated false charge, what did you allude to—the charge of being drunk or of threatening him with a Court-martial.

*A.*—More particularly to that part in which he charged me with having threatened him, Lieut. Laurie, with a Court-martial.—[*Witness retires.*]

*Seventh Instance.*—Before proceeding to adduce evidence on the Seventh Instance of the First Charge, the Judge Advocate addressed the Court as follows:—

“MR. PRESIDENT AND GENTLEMEN,—The only two witnesses whom I can adduce in support of the 7th Instance of the 1st charge, Lieut. Comyn and Ensign Hammond, are both unfriendly to the case for the Prosecution. The names of both, as the Court are aware, are included in the charges among those who participated more or less in the acts of delinquency, for not repressing which Lieut. Colonel Gidley is now arraigned before you. I beg to draw the attention of the Court to that portion of para. 56, page 10, of the Orders and Regulations for Court-martials, which admits of leading questions being put to a witness on the examination in chief when he is evidently unfriendly to the party calling him, and I respectfully solicit the permission of the Court to avail myself of this privilege as regards Ensign Hammond and Lieut. Comyn.

The Court granted the request of the Judge Advocate.

12TH WITNESS, *Ensign Hammond*, of the 15th Regiment N. I., deposed.—I cannot speak as to whether it was on the 3rd day of August 1853 that I was at the house of Colonel Gidley in the evening. I did not hear of Ensign Loft being accused of being drunk at Colonel Gidley’s quarters when he was officer of the day. I was with Ensign Loft one evening at Colonel Gidley’s with Ensign Loft and Lieut.

Comyn. It was likely in the month of August 1853. Ensign Loft was at that time in a sober state. He was *perfectly* sober. Ensign Loft asked Col. Gidley's permission about twelve o'clock that evening for Lieut. Comyn to take his sword, as he was sleepy; I mean by taking his sword taking his duty as orderly officer. Some duty might occur after twelve o'clock, such as fire breaking out in the Lines. There are no ordinary duties for the officer occurring at night. Fires in the Lines and other extraordinary calls are not frequent. Colonel Gidley allowed Ensign Loft to do duty for Lieut. Comyn. It was rather odd as there was no ordinary duty to perform for Ensign Loft to have asked the permission of the Commanding Officer to do duty for Lieut. Comyn at that hour of night; but a fire might take place. I wish to add that Ensign Loft having come to Colonel Gidley's with Dr. Elliot he remarked to me don't hurry yourself on my account, I feel tired and will lie down till you are ready. After this he asked the question of Colonel Gidley. I remained at Colonel Gidley's till about one or two o'clock in the morning; I don't recollect the exact time. I don't know if I lived with Ensign Loft at the time. We were about one hundred yards from one another. We returned home together from Colonel Gidley's quarters, in Dr. Elliot's cart. Ensign Loft did not resume his duty as Orderly officer. I don't remember that Lieutenant Comyn, who had taken Ensign Loft's sword had been called on to perform any duty. I don't remember if Lieutenant Comyn went to sleep immediately. I roused him up when I went away. As I was not living with Ensign Loft I cannot say when he usually goes to bed when he is perfectly sober, as he was on the occasion deposed to by me. I lived with Ensign Loft at different times for different periods, the longest about two or three months. It was some months that we lived separate before the evening referred to in my statement. During this period I met Ensign Loft at Mess almost every night. The officers came round at that time once every eight or nine days on duty. Ensign Loft usually went to bed about ten o'clock at night, during the time I lived with him. I don't know at what hour he used to go to bed during the intervals that I did not live with him. I don't recollect having on any other evening than that I have deposed to, either accompanied Ensign Loft to or met him at Colonel Gidley's; probably, I might have done so. I never knew him on any occasion previously to that deposed to ask of his brother officers to take his watch on the plea of being sleepy. I can't say with certainty whether it was Ensign Loft who asked Colonel Gidley, on the night in question, to allow Lieut. Comyn to do his duty for him, or whether it was Lieutenant Comyn who asked the permission; my impression is that it was Ensign Loft. Ensign Loft and Col. Gidley went home with me that night in Dr. Elliot's gharee. We went first to my house, which was the first house. I got out of the cart and went into the house. I don't know where Ensign Loft and Colonel Gidley went to after that. I don't think they alighted at my house, but I cannot speak with certainty on that point. It was about one or two in the morning that we left Colonel Gidley's house; Col. Gidley assigned no reason, in my hearing, for his leaving his house at that late hour. I don't know whether it was Colonel Gidley's custom to accompany his guests home, after they had partaken of his hospitality at his own house. I can't remember any other instance of his having done so, except the one specifically deposed to by me. I am not aware that the occurrence at Colonel Gidley's on the evening referred to, afterwards formed the subject of conversation between Lieut. Comyn and any other party.

*Cross-examined.*—I know Ensign Loft to be of a very drowsy nature, and have frequently at table seen him fall asleep, and more particularly during meals.

*By the Court.*—I do not remember Colonel Gidley making any observation in granting permission to Ensign Loft to deliver over his duties that night to Lieut. Comyn; I remember nothing more than the assent.

*Question*—In one of your answers you said that you did not remember whether at the time this occurrence took place you were living with Ensign Loft, and afterwards in the answer to another question you say that you had then been living two or three months apart; how do you reconcile these two statements?

*Answer*.—Ensign Loft has lived with me sometime for three and four days together; our bungalows were close together, and for society's sake Ensign Loft has stayed with me two or three days together.

FOURTEENTH DAY, FRIDAY, 10TH MARCH 1854.

*Ensign Hammond* re-called and examined.

*By the Court*.—When we left Colonel Gidley's quarters, Ensign Loft had recovered his drowsiness so far as to enable him to enter the bullock gharee wholly unassisted. I cannot say that, some other cause more within his own controul than drowsiness to which he is naturally addicted, led to his being very sleepy frequently. Ensign Loft I think had drunk some cold brandy and water on the evening in question at Colonel Gidley's. He was smoking a cheroot at the time. I do not know of any other instance of an officer obtaining his Commanding officer's permission to exchange duty simply because he was sleepy. I cannot say whether Ensign Loft at that time was on more intimate terms with me than Lieutenant Comyn. The Court is to understand from my evidence that Ensign Loft and I were always on friendly terms. I do not know on what terms Ensign Loft and Lieutenant Comyn generally were. Ensign Loft and I went from the Mess to Colonel Gidley's—it was about ten o'clock. Ensign Loft did not, that I remember, complain of drowsiness on his way to Colonel Gidley's. I do not think that Ensign Loft asked me to take his duty before it had been transferred to Lieutenant Comyn. Colonel Gidley was not in the habit of encouraging young officers to tiffin or dine at his quarters. To the best of my recollection I never tified or dined at Colonel Gidley's with Ensign Loft. I have not myself nor do I know of any other young officers having been in the habit of spending the evening at Col. Gidley's sitting up late, smoking and drinking brandy pawnee. Colonel Gidley was a regular attendant at the Mess.—[*Witness retires.*]

13TH WITNESS, *Lieutenant Comyn*, 15th Regiment N. I., examined.—I remember one day being present at Colonel Gidley's when Ensigns Loft and Hammond came there in a bullock cart; I don't remember the exact day. They came there about eleven o'clock from the Mess. Ensigns Loft and Hammond and myself were at the Mess. As far as I recollect Captain Kane and Lieutenant Raikes were also there. I don't remember who else was there. Ensigns Loft and Hammond were not in the habit of going to Colonel Gidley's after Mess. But I have often walked home with Colonel Gidley from the Mess at night. I used to remain there for some time. I was on intimate terms with Col. Gidley. It was merely accidental that they went there. We returned there just to chat together. We had a little singing besides chatting; nothing more. I sang a solo; I think Col. Gidley sang too. I cannot say whether Ensign Loft can sing or not; but if I recollect aright he used to join in the chorus. I cannot say positively that Ensign Loft can sing a song. The singing continued for an hour or so. I did not take any thing at Colonel Gidley's. As far as I recollect Ensigns Loft and Hammond got some brandy and water. Ensign Loft was sober on that occasion. He might be perfectly sober. He was officer of the day. I never lived with Ensign Loft. Our present houses were in the same line; but at that time his house was opposite to Major Watkin's, which was next to mine. Ensign Loft was not in the habit of staying with me for three or four days. Ensign Loft said he felt sleepy and asked me if I would take his sword and do duty for him. He asked

Colonel Gidley to do so. This was about midnight. Colonel Gidley gave the permission. Ensign Loft did not assign any other reason than that of sleepiness that I am aware of. There was no other reason that I could discover. I do not remember Ensign Loft asking Ensign Hammond at all to relieve him. I never was on intimate terms with either Ensign Hammond or Ensign Loft. I cannot account for Ensign Loft asking me instead of his friend Hammond to take his duty. This was after twelve o'clock or a little after. The officer of the day had no duty to perform at night except in cases of fire should any occur. I don't recollect of a fire taking place at night at Bhooj while I was there. I was not at any time in Bhooj deterred from going to bed because there might be a fire within lines. Ensign Loft left Col. Gidley's at about three o'clock in the morning. He did not resume his office as orderly officer. I believe he sent in the officer's report next morning. Ensigns Loft and Hammond, myself and Colonel Gidley all went in Dr. Elliot's gharee. We first of all went to Ensign Hammond's quarters, where Colonel Gidley and Ensign Hammond left the gharee. I then went in the gharee with Ensign Loft to his quarters. As far as I recollect I never got out of the gharee at Ensign Hammond's. I would have asked another officer to do duty for me if I felt sleepy and found any one who could take my duty and who was not inclined to go to bed himself. I am not aware of any order in the 15th Regiment prohibiting an officer from going to sleep in any one's house but his own. I dare say it was on prudential motives that Ensign Loft asked me to take his duty; there was no actual necessity for it. As I have already stated a fire might occur and he showed prudence in doing so. Ensign Loft only reclined on a couch. He did not go to bed. I went to bed at about half past four o'clock near gun fire. The usual hour for an officer to be relieved was after gun fire at broad day light. Ensign Hammond was sober when he came to Colonel Gidley's. Ensigns Loft and Hammond were sober when we all left Colonel Gidley's. I asked Colonel Gidley to come into the gharee, which he at first declined doing, but afterwards complied. Colonel Gidley's house was about ten yards from Ensign Hammond's. Col. Gidley rejoined us. I returned from Ensign Loft's house to Ensign Hammond's in Dr. Elliot's gharee, and took Colonel Gidley who went thence to the latter place. Colonel Gidley did not assign any reason for staying at Ensign Hammond's. I imagine it was about forty yards from Ensign Loft's house.

#### FIFTEENTH DAY, SATURDAY, 11th MARCH, 1854.

*Lieutenant Comyn* recalled and further examined.—In August 1853 I was on friendly terms with Ensign Wainright. I had some conversation with him on the subject of my conduct at Colonel Gidley's on the evening referred to in my former evidence. I never had more than one conversation with him. The Rev. Mr. Watson was not present when this conversation took place. I never had any conversation with the Rev. Mr. Watson on the same subject. I did not enter into particulars, word by word, as I have already done before the Court. I merely told Ensign Wainright that I had spent a very pleasant evening with Ensigns Loft and Hammond at Colonel Gidley's, and returned home late, in answer to questions he put to me at my quarters the following day, as to what I was doing in the bullock gharee and as to what passed in the house at that late hour.

*By the Court.*—Colonel Gidley joined the 15th Regiment in March 1852, at Shikarpore, as far as I recollect. I cannot speak with certainty as to whether Ensign Loft had his uniform and sword on at the Mess on the evening; but I think he went with them to Colonel Gidley's. I think he took off his sword but not his jacket, as far as I remember, while at Colonel Gidley's.

## SECOND CHARGE.

## FIRST INSTANCE.

*Lieut. Coles* called and examined.—I was present in the Billiard room in May 1853 when something unusual to Dr. Elliot's person took place. We were just commencing the game of Pool, and I saw Ensign Loft go out and seize Dr. Elliot by his private parts. Lieut. Thompson, Dr. Elliot, Ensigns Hammond and Loft, Colonel Gidley and myself, were present as far as I can recollect. I am not certain as to whether there were any more officers present. This occurred after three o'clock in the afternoon. They were all standing near together at one end of the table. We were all playing and just commencing the game. I cannot remember the exact position in which Col. Gidley was standing with regard to Dr. Elliot; but we, including Colonel Gidley, were all together at one end of the table. On the same day I heard Ensign Loft address Dr. Elliot in an unusual manner. Dr. Elliot was talking about his mother, and remarked, she did so and so. I did not exactly remember what the conversation was, as I was playing Billiards at the time; but I distinctly heard Ensign Loft say to Dr. Elliot, "I'll bet your old mother has \* \* \* \* for you." Colonel Gidley was present when Ensign Loft said this. As well as I remember he was on the opposite side of the room. Ensign Loft's voice was loud enough for any one in the room to have heard it. Colonel Gidley did not take any notice of the disgusting language made use of, or the indecent act of Ensign Loft, that I am aware of. I mentioned to Lieut. Kane these deplorable scenes.

*Cross-examined.*—I am not certain at all, and it is impossible for me to say, whether Col. Gidley saw Ensign Loft's indecent act and heard his obscene language. Dr. Elliot merely turned round and said to Ensign Loft, "don't, man." Dr. Elliot's person was not exposed. Ensign Loft merely took hold of Dr. Elliot by the private parts as he passed by. I can't possibly say what he meant by it; but he took it merely as a joke. I don't remember whether he said anything at the time. They were laughing all round; but there was no particular attention drawn to this. The indecent language made use of was also in the afternoon; the same officers were, as well as I can recollect, present then. Dr. Elliot was decidedly a butt; Ensign Loft's act was such as a thoughtless young man through forgetfulness of propriety might commit. I think Dr. Elliot and Ensign Loft were intimate. They all seemed to be joining in the joke, they were laughing all round. Colonel Gidley was standing or sitting on the opposite side of the room when Ensign Loft made use of the expression deposed to by me. He was standing at the end of the table waiting for his turn to play, when Ensign Loft pulled Dr. Elliot by the private parts. Nobody shewed any disapprobation at Ensign Loft's act. Neither the act nor the expression of Ensign Loft was especially brought to the notice of Colonel Gidley that I am aware of. Before Colonel Gidley joined the 15th Regiment I had seen an officer drunk; but with that exception I don't remember having seen an officer behave in an unseemly manner. Ensign Loft's act being an instantaneous act, might certainly have escaped Colonel Gidley's observation.--[*Witness retires.*]

*Lieut. Hoskins* called and examined.—I was in the Billiard-room in May 1853 when something unusual occurred to the person of the late Surgeon Elliot. I went down to the Mess that afternoon to play at Billiards, and found a party already assembled there. I went and occupied a seat next to Colonel Gidley. After I had been there a few minutes, Ensign Hammond walked up to Colonel Gidley, and said "shall we walk into the Doctor"—or words to that effect, to which Colonel Gidley, replied, "yes sell him by all means." On this, Ensign Hammond went round to the other end of the table, and, in company with Ensign Loft and Lieut. Thompson, proceed to jostle Dr. Elliot, and to pull down his trowsers. He resisted all the time and said they

were going too far, and that it was beyond endurance. However, they did so, they pulled down his trowsers, and proceeded to pass indecent remarks on him. He then said that they were all "a damned set of snobs," and that it was all the worse because a Commanding Officer of another Regiment was present. As Colonel Gidley took no notice of this, I left the room. One of the indecent remarks was, that he must have been better provided when he got his son than he appeared to be then; others were mainly of the same nature. I don't know whether Dr. Elliot's son was then, or had shortly before been, in the Regiment. The scene I have described, took place, I think, between two and three o'clock in the afternoon. I saw Dr. Elliot's trowsers pulled below his knees; it could not have been accidental, for I saw him resisting it, and trying to keep them up. About two or three seconds elapsed between Colonel Gidley's saying, "Yes, sell him by all means," and Ensign Hammond and the officers pulling down Dr. Elliot's trowsers. Colonel Gidley never, to my knowledge, took notice of the conduct of Ensign Loft and the officers.

*Cross-examined.*—I can positively state that the Doctor's trowsers were pulled down by force, he resisting all the time; there was nothing unusual about the size of the trowsers, but I cannot say that they were not Lieut. Thompson's. I was told the next day by Lieut. Thompson that Dr. Elliot had apologized to the officers for the use of the word "snob."

The Judge Advocate here enquired of the prisoner, if he required it to be proved to the Court that Dr. Elliot's son had been in the Regiment, or if he admitted that fact, Colonel Gidley admitted the fact, adding "but it was a long time ago."

The case for the prosecution then closed.

SIXTEENTH DAY, MONDAY, 13TH MARCH, 1854.

## DEFENCE.

### FIRST CHARGE.—*First Instance.*

**14TH WITNESS, Lieut Thompson, 15th Regiment N. I.,** deposed.—I have been about nine years in the service, and in the 15th Regiment since May 1845. I remember a dinner party given by the Political Agent in Cutch to the 15th Regiment on its arrival at Bhooj in the month of January 1853. I was present. I am aware of the charges preferred at this Court Martial. I am not implicated in any one of them. I was acquainted with the late Dr. Elliot of the 15th Regiment for the last four or five years. The European officers of the 2nd Grenadiers, those of the 15th Regiment, the officers of the Battery, and the chaplain of the station, upon the occasion referred to, were present. I did not remark any thing unusual in Dr. Elliot's manner or behaviour. I should say Dr. Elliot was always noisy in Society, particularly at the last party. I was seated at one side of the table, and Dr. Elliot on the opposite side, one or two seats off. I am not aware of any thing particular taking place at the end of the table where he was seated. I heard Major Jacob make a remark to Dr. Elliot. Dr. Elliot was noisy and Major Jacob reminded him that he was now in civilized society; to which Dr. Elliot replied that he had never heard of any society uncivilized. There was a good deal of joking going on between the company at the end of the table where Dr. Elliot was seated. Dr. Elliot monopolized the conversation, and it was this that called for Major Jacob's remark to him. Dr. Elliot was not, I think, drunk on this occasion. From Dr. Elliot's manner upon this occasion he might certainly appear under the influence of liquor to those who were not acquainted with him; he was always noisy at a large party. At the time Major Jacob made this remark to Dr. Elliot,

my impression was that he wanted him to keep quiet. It certainly was not in an angry tone of voice; it was merely because he monopolized the conversation. It was about Mooltan that the company at Dr. Elliot's end were joking; it was made a boast by Major Jacob that he possessed the medal. Major Jacob certainly joined in the joking. Major Jacob made a speech on the occasion of the dinner. He talked about the setting sun and the rising star; he spoke of Colonel Gidley as the rising star, and of Captain Giles, of the 2nd Grenadiers, as the sun—alluding to the commanding officers; it lasted a long time and then broke down. I did not remark anything about Dr. Elliot that called for the serious attention of Colonel Gidley. I first heard of Dr. Elliot being accused of being drunk when I saw the charges now before this Court; I mean I heard for certain, in some tangible form. At the Court of Enquiry in October or November last, when I was examined, I was not questioned about his being drunk at Major Jacob's. It was about the month of August last that a letter was received from the Army or the Division Head Quarters (I don't know which) in which Dr. Elliot's general intemperance was mentioned; before this time I never heard of any body attaching that imputation to Dr. Elliot. Upon the occasion of the dinner I did not hear any indecent language from Dr. Elliot. Had he used any obscene expressions, I must have heard them.

*By the Court.*—As far as I recollect about fifteen persons were present at the dinner referred to. I have been in arrest since 31st October, for having, at the funeral of the late Surgeon Elliot, taxed Lieut. Kane with having been partly the cause of Dr. Elliot's death. The joking at the dinner was not quiet; it was noisy; I would not say boisterous. I sat next to Lieut. Billamore of the Artillery, I think Dr. Beatty was close to me; many of the officers of the Grenadiers were near me. I was on intimate terms with the late Dr. Elliot. I think Dr. Elliot was a sober man; by which I mean that he was always in a fit state for doing duty. In my opinion he was always competent for any regimental duty or for any surgical operation. There was no conversation where I was sitting at the dinner party. I think it consistent with a habitually sober man to get excited in talking in society. Dr. Elliot talked much in the society of strangers; I don't do it myself. I saw the letter in which Dr. Elliot was accused of general intemperance and became acquainted with its contents,—it was in August,—but I cannot speak as to its exact date. I cannot speak as to the date of the letter by Colonel Gidley in explanation of certain circumstances brought to light before the Court of Enquiry. I had copied several letters for Colonel Gidley from his draft; I probably remember the letter partly written by me and partly by Lieut. Laurie. Dr. Elliot's language was correct, not obscene. I did not hear Major Jacob address Dr. Elliot a second time. The Rev. Mr. Watson sat much nearer to Dr. Elliot than I was, and consequently more likely to hear what Dr. Elliot said than myself.

*By the Prisoner.*—The Rev. Mr. Watson was more likely to hear what Dr. Elliot said than Colonel Gidley who was not so near him. Lieut. Billamore was one chair nearer to Dr. Elliot than myself; he was sitting on my right. I am not aware of any conversation ensuing the next day among the officers of the Regiment upon Dr. Elliot's conduct on the previous evening.—[*Witness retires.*]

*Ensign Hammond* recalled and examined.—I was at the dinner party given by Major Jacob in January 1853, on the arrival of the Head Quarters of the 15th Regiment Native Infantry at Bhooj. Dr. Elliot was there; and I think I sat next to him. As far as I observed, he was not unusually noisy on that occasion. Dr. Elliot was always noisy in Society, more especially when there were a number of persons present. I should say that persons not acquainted with Dr. Elliot's conduct in Society might suppose he was in liquor. I don't remember Dr. Elliot, on the occasion of the Dinner party referred to, making use of any language derogatory to a gentleman. I did not consider Dr. Elliot drunk upon that

occasion. I heard Major Jacob address him as nearly as I can recollect, in the following words,—“Come, come, old fellow ! you are not in Upper Scinde now, but are come down into civilized society.” I don’t remember Major Jacob calling him to order more than once. Major Jacob said this to Dr. Elliot in a very kind manner. I saw nothing in Dr. Elliot’s conduct upon that occasion which, in my opinion, called for the interference of Colonel Gidley.

*By the Judge Advocate.*—Q. I observe that you appear in Court without your sword, am I rightly informed that you are under arrest for being abusive and insolent before a Court of Enquiry which assembled in November last, to enquire into the low tone prevalent among the officers of the 15th Regiment ?

*Answer.*—I am not aware of the reason for which I am under arrest.

*By the Court.*—I said I think I sat next to Dr. Elliot ; I have not much doubt that I did ; it happened so long ago. The Revd. Mr. Watson, I think, sat next to Dr. Elliot on the other side ; we are all liable to forget, but I think I may safely say that Mr. Watson did sit next to Dr. Elliot. I do not remember anything being said either the next day or shortly after, among the officers, with whom I associated, regarding Dr. Elliot at the party at Major Jacob’s. I first learned that Dr. Elliot had been accused of drunkenness and improper conduct at Major Jacob’s when I saw the charges against Colonel Gidley, in Bombay. Previous to that I never heard of the subject. I never gave the circumstances at Major Jacob’s, as connected with Dr. Elliot, any notice previously to my seeing the charges.

*Re-examined.*—I was put under arrest at the same time as Lieut. Comyn on the line of march from Mandavee to Bhooj by the acting Adjutant, by order of Colonel Sinclair,—who was the President of the Court of Enquiry, and I believe Commanding the Province of Cutch. I learnt from conversation that Lieut. Laurie and Ensigns Fraser and Loft were put under arrest by order of Colonel Sinclair. I fancy that Lieuts. Comyn and Laurie and Ensigns Fraser and Loft gave evidence in favour of Colonel Gidley at the Court of Enquiry above referred to.

#### SEVENTEENTH DAY, TUESDAY, 14TH MARCH, 1851.

*Ensign Hammond* called and examined by the Court.—I think we got up from the table together. I did not observe Dr. Elliot’s manner in particular. It was a general rising.

#### SECOND INSTANCE.

*Lieutenant Comyn*, 15th Regiment N. I., called and examined by the Prisoner.—I remember a Durbar given by the Rao of Cutch on or about the 7th of April 1853. I am aware that I am the subject of a charge on this Court Martial connected with the Durbar. I did not attend the Durbar, being in a weak state of health and suffering from a severe venereal disease, which I had unfortunately contracted in Bombay in the early part of March 1853, and for which disease instead of consulting the Doctor I physicked myself, and the consequence was, instead of getting better, it became much worse. With this complaint I arrived at Bhooj on the 30th of March 1853. On or about the 17th of April 1853, the officers of the Regiment were ordered to assemble at the Mess-house at four o’clock of the same afternoon for the purpose of proceeding to the Durbar to pay their respects to the Rao of Cutch. On that day I was very sick, still suffering most painfully from the same disease, and concealed it from the Doctor, as I did not wish to be put into sick quarters for it ; on that day I sat

down to a quiet tiffin at Mess with the late Surgeon Elliot and Ensign Loft, and as far as I recollect I may have taken a glass of beer ; after tiffin I reclined on a couch to take a nap. About half past three o'clock Lieutenant Thompson, in uniform, came and woke me up ; I got up and saw my hamaul with my shell jacket and sword, which I shortly afterwards put on and walked from the Mess-house to the Residency, the distance of a mile, along a very dusty road, and in the heat of the sun which was very great. I arrived late near the Residency, my ghorawalla about this time came there with my tattoo, which I mounted ; but I was prevented from riding properly, being in great pain. I joined the procession, and as we were on our way, first of all Doctor Elliot came up to me and said, "you are not looking well, you had better go home." Subsequent to this Ensign Loft came up to me and said, "you are not appearing well, you had better go home ;" also Ensign Coles, but whether the latter alleged any reason for so doing I do not remember. On my arrival at my quarters I wrote a note to Doctor Elliot to come and see me after Durbar, as I did not feel well ; I also wrote a note to Col. Gidley asking him to look in at my house the same evening, and in that note I believe I wished him a last farewell ; the disease I was suffering from became so bad that I was utterly regardless of what became of myself, and it preyed on my mind very much. Col. Gidley and Doctor Elliot both came to my quarters that evening ; I told Doctor Elliot what I was suffering from. He asked me how long I had had the disease ; I told him upwards of a month. He said, "you ought to have been in sick quarters long ago;" and that he would send me a sick report next morning ; it was approaching Mess time. Col. Gidley and Doctor Elliot went to the Mess, and I, by invitation, went to take tea with Ensign Wainwright, who, instead of giving me tea, gave me beer. I must here state that previous to Col. Gidley and Doctor Elliot coming to my quarters, Ensigns Loft and Wainwright had been there. I spent the evening at Ensign Wainwright's house. After Mess, as far as I recollect, about ten o'clock the same evening, Col. Gidley and Doctor Elliot called for me at Ensign Wainwright's house in Doctor Elliot's bullock gharee, and I went in the Doctor's gharee to his house. He asked me to come there as I was by myself, and it would be very lonely. The following morning an exercise parade was ordered ; before the commanding officer could have come on parade, I wrote a note to Lieutenant Kane, the Adjutant of the Regiment, excusing myself from parade on the plea of sickness, and I asked the Doctor to send in a certificate there and then. He, the Doctor, said that he would do so at the Orderly-room hour that morning. The sick certificate was sent in. About the 12th of the same month I left Bhooj for Mandavie on sick certificate.

[The certificate was here produced and recorded.]

Another certificate, dated the 12th September 1853, has been obtained by me in reference to the Durbar affair. The following is a copy of it :—

(E)

"This is to certify that on or about the 7th day of April 1853, when the officers of the Regiment were proceeding to visit His Highness the Rao of Kutch in Durbar, Lieutenant Comyn, 15th Regiment N. I., was labouring under a disease which precluded him from riding, but for which he did not wish to be put in sick quarters, walked down in the heat of the afternoon sun to the Residency,

and on his arrival there appeared to me so completely exhausted, that I deemed it necessary to advise him to go home, lest the effects of the sun and exposure to it and the exertion of walking might be seriously detrimental to his health.

(Signed) H. R. ELLIOT,

*Surgeon, 15th-Regiment N. I., and Staff Surgeon, Bhooj.*

Camp Bhooj, 12th Sept. 1853.

(True Copy) (Signed) H. BOYE,

*Depty. Judge Adv. Genl. P. D. A.*

Subsequent to the 13th of August last Captain Kane, then the Adjutant of the Regiment, I understood, had sent in a letter wishing to be allowed to resign the Adjutancy of the Regiment, and talked of certain occurrences. Some two or three mornings in September before obtaining the second sick certificate, [E.] Dr. Elliot was at my bungalow by himself; I said to the Doctor, "you perceive Kane has sent in a letter, wishing to resign the Adjutancy, mentioning certain occurrences; I said, supposing my non-attendance at the Durbar was brought forward by him or any of his friends what would you, if asked, speak as to my staying away that day." His reply was, "I considered you were unwell and I advised you going home." I then said, "if you are conscientiously of this opinion, would you object to give me a medical certificate to that effect." He said, "certainly not." I added, "it may be of use to me." A few days afterwards, the certificate (E.) was sent to me by him. I am not certain whether the certificates now produced were written by Dr. Elliot before he was aware that he, Dr. Elliot, was made the subject of any charges of drunkenness on this Court Martial. I was not drunk on the occasion of the Durbar beyond what I have already stated that I may have taken a glass of beer; I do not remember to have taken anything else. I had not intended to apply for the Adjutancy of the 15th Regiment, because I considered the state of my health would not stand the work.

*By the Court.*—Previous to the Durbar I don't remember when I became officer of the day. From Mandavie I came to Bhooj by way of Gogo and Rajcote. The whole way from Gogo to Rajcote and thence to Bhooj I travelled in a cart. To the best of my recollection I had not been on horse back on my way to Bhooj. I think the distance from the Residency to my house is a few yards more than a mile. As far as I recollect the officers were coming out of the compound, and Dr. Elliot met me in front of the compound. They met me at a distance of forty or fifty yards from the gate of the compound. The officers went to the Durbar on horse back. I think Dr. Elliot was on horse-back. I am not aware that Major Jacob was a married man then. I do not know if any ladies were staying with him. I do not remember if Major Watkin came up to me on that occasion. Neither Ensign Loft nor Ensign Cole told me that they were desired by Major Watkin to tell me to go home on the occasion. On the 8th of April I was personally inspected by the Doctor. He gave me a certificate as well as a case. I never thought of the subject of the certificate after it was given me. I never received a proposal to sell out of my Regiment, although I heard of it after the Durbar from Ensign Wainright by a private note. I don't remember Lieutenant Thompson coming to my quarters after the Durbar with a pair of handcuffs. I don't remember

the Rev. Mr. Watson's attention being drawn by my servant to a pair of hand-cuffs. I remember consulting the Rev. Mr. Watson about taking the Temperance pledge; I told him that I wished to take it for the benefit of my health. I had it in contemplation to do so long before. I felt myself better without liquor of any kind, as I was naturally very bilious; and in fact, I was told by Dr. Elliott that I always looked better when I abstained from all liquors. I was bilious without taking anything. I signed a paper agreeing to abstain from all intoxicating liquor. I gave the paper to the Rev. Mr. Watson. I don't know if he belongs to the Temperance Society.

EIGHTEENTH DAY, WEDNESDAY, 15TH MARCH 1854.

*Lieutenant Comyn* further examined by the Prosecutor.—Dr. Elliot was alone when he accosted me near the Residency. I don't remember how far he was in advance of the other officers. I wrote the letter to the Doctor about half an hour after I returned home. When he came to my quarters, I first informed him that I was labouring under venereal disease. The verbal statement before this Court that I informed Ensign Wainwright that I would rather stand a Court Martial than give evidence for Col. Gidley is incorrect, and I have no recollection of any thing further than what I deposed at this Court. I deny having been drunk and therefore no rebuke could have occurred. I walked to the Durbar and rode back, and did not fall. I do not remember being reported by any one as drunk on the night of the Durbar.—[*Witness retires.*]

15TH WITNESS, *Lieut. Laurie*, of the 15th Regt. N. I., stated.—I was at the Durbar given by the Rao of Cutch in April 1853. I saw *Lieut. Comyn* outside the Residency Gate. He was in a sober state when I saw him. I was aware of his suffering from venereal disease on that day and several days previously. I did not see him afterwards on that day. I observed that he was knocked up and looked ill. A person, not taking the trouble to ascertain whether a man was "drunk" or "ill," might, from *Lieutenant Comyn's* manner, have supposed the former certainly. I have been in arrest for four months being charged with being in collusion with Col. Gidley; I was ordered to be put in arrest by Col. Sinclair, of the Artillery, then commanding in Cutch. Col. Sinclair was President of the Court of Enquiry at that time. Every officer in the Regiment, who gave evidence in favor of Col. Gidley at the Court of Enquiry is under arrest. I am not aware of the existence of any collusion,—meaning a conspiracy to give false evidence. There are two parties in the 15th Regiment; their differences commenced about the middle of August 1853; they are not on speaking terms with each other. I was Line Adjutant at Bhoj when I was placed in arrest.

*By the Prosecutor.*—I don't recollect if Ensign Wainwright rode with me on my way to the Durbar. I don't remember any officer saying "Look in what a dreadful state *Lieutenant Comyn* is." I declined to answer the question, "who your associates were," at the Court of Enquiry. I do not recollect declining to answer the question "did you see any officer of the Regiment, after their arrival in Cutch, under the influence of liquor," put to me at the Court of Enquiry. I might have declined to answer the question "did you see *Lieutenant Comyn* ordered by Major Watkin to go home." I remember the said Court of Enquiry being closed, and when declared open, I was cautioned that my repeated refusals to answer questions might defeat the object of the Inquiry, and be afterwards prejudicial to myself. I answered every question that I was aware of upon points I knew were to be investigated, having seen the letter from the divisional authorities. The married men and Captain Kane were on one side, and the bachelors on the other. Major Watkin, Ensigns Cole, Wainwright, and Stileman are the married officers.

Lieuts. Fraser and Comyn, Ensigns Hammond and Loft, the Lieut. Surgeon Elliot, and myself are the bachelors. I did not hear of any of the married officers except Kane being accused of acts of drunkenness or indecency.

*By the Prisoner.*—Lieut. Comyn never suffered from *delirium tremens*; I should have known it from the weekly return of the hospitals which would have been sent to my office. I am not aware of any act of indecency having been committed among the bachelors.

*By the Court.*—I do not range Col. Gidley in either party into which the officers of the Regt. are divided. The cause of the division that Captain Kane accused me of drunkenness in the Billiard-room in August last, which I denied, and the bachelors who were dining at Mess that night came forward to say that I was sober; we, that is I and the bachelors, cut Captain Kane; he and the married officers on one side, and we on the other. I can't account for all the married officers joining Captain Kane. I do not know on what grounds I was charged with collusion with Col. Gidley. I was on very good terms with Captain Kane up to the middle of August last. I do not know by what motives he was actuated to accuse me of being drunk. I do not know if Col. Gidley was aware of the married officers joining with Captain Kane. A few days after the Billiard-room affair, Captain Kane accused Col. Gidley of insulting him with ill-treatment, and charged the officers with drunkenness; there was an end to all friendship. Col. Gidley referred the whole affair to Division Head Quarters.

*By the Prisoner.*—The married men used to go to Mess.—[*Witness retires.*]

16TH WITNESS, *Ensign Loft*, of the 15th Regt. examined by the Prisoner.—I was at the Durbar of the Rao of Cutch in April 1853. I saw Lieut. Comyn on the road to the Durbar. I spoke to him on that occasion, and I considered him sober. I saw him afterwards in his own bungalow in company with Ensign Wainright; afterwards Col. Gidley and Dr. Elliot came in there. I believe Colonel Gidley received a note which brought him there. Lieut. Comyn went to take tea with Ensign Wainright and I walked to the Mess with Col. Gidley. Lieut. Comyn was in a perfectly sober state at that time. I believe Ensign Wainright invited Lieut. Comyn. I was directed by Major Watkin, with whom I was riding to the Durbar to tell Lieut. Comyn to go home, as he was not looking well. I did so and Lieut. Comyn immediately went home. I am aware of the fact of his suffering from a painful disease at this time; I believe his mind was affected. Major Watkin only told me that Lieut. Comyn looked unwell when he directed me to tell him to go home; he did not tell me that Lieut. Comyn was drunk.

*By the Prosecutor.*—I lunched with Lieut. Comyn at the Mess shortly before going to the Durbar. He complained of sickness and laid down on the couch and went to sleep. I went home and dressed for the Durbar. I am not aware if Lieut. Comyn brought his state to the notice of the Doctor. I cannot say whether his weak condition could have escaped the notice of the Doctor. I am not prepared to give my opinion as to his mental condition being such as to render him irresponsible for his actions; it is more a question for a medical man than for me.—[*Witness retires.*]

*Lieutenant Thompson*, of the 15th Regt., examined by the Prisoner.—I brought on one occasion handcuffs to Lieut. Comyn's quarters; it was a joke. It was in the month of September 1853, long after the Durbar. I saw Lieut. Comyn about four o'clock in the afternoon at the Mess-room. I went with the rest of the officers; he was asleep on the couch; I woke him up; he was sober at the time.

*By the Prosecutor.*—No proposal was made to Lieut. Comyn to sell out of the Regt. after the Durbar. To this I speak with certainty. No scheme was proposed by the junior officers at Bhoj to buy out Lieut. Comyn.

*By the Court.*—I did not see Lieut. Comyn at the Residency on the day of the Durbar.—[ *Witness retires.* ]

NINETEENTH DAY, FRIDAY, 17TH MARCH, 1854.

*Ensign Loft* called and examined by the Prisoner.—I was present at a party given by Major Jacob in April 1853, at which ladies were present. I did not stay out the dinner on that occasion. I went to sleep at the party and was sent home. I received a communication from Lieut. Kane, Adjutant, between seven and eight o'clock the following morning. Lieut. Thompson was present when I received the note. I don't know really what became of that note; it had been destroyed with other notes. I was ordered in that note to appear at eleven o'clock at Col. Gidley's quarters; Lieut. Kane ended the note by a remark that I had better call on him first as he would give me a wrinkle. I was ordered in that note to Col. Gidley's quarters on duty. Notice was taken of my conduct by Col. Gidley. I went to Col. Gidley's house. I was reprimanded by him. I assured him that my drowsiness was not the effect of liquor; he spoke to me very seriously, although very kindly, and warned me to be more circumspect in my behaviour in future. Col. Gidley ordered me to write an apology to Major Jacob; I did so, and my apology was accepted; Major Jacob called on me at 10 o'clock, in the forenoon, and I expressed to him my regret for having gone to sleep at the dinner party; and Major Jacob appeared perfectly satisfied at my apology. I cannot account for my going to sleep at the dinner party where ladies were present—the same occurrence has taken place several times before. I again dined at Major Jacob's shortly after this when ladies were present. I did not comply with that part of Lieut. Kane's letter that asked me to call on him as he would give me a wrinkle, because Lieut. Thompson advised me to go straight to Col. Gidley.

*Cross-examined.*—I was examined at the Court of Enquiry of which Col. Sinclair was President on the same points as my evidence before this court; I don't recollect the exact date, but I think it was in October last. I underwent a most severe examination on that occasion; it lasted five hours; and I really cannot recollect what my answers may have been then. I cannot recollect my answer to the question "By whom were you ordered to attend at Col. Gidley's?" put me at the Court of Inquiry. When Col. Gidley reprimanded me, Dr. Elliot came in. I believe the second-in-command or the Adjutant were not present. I cannot recollect the exact words of the reprimand. The reprimand was, I positively state, for falling asleep and not for being under the influence of liquor. Col. Gidley reprimanded me in a kindly way; I had already stated what the reprimand was; his manner was kind. I don't recollect Major Jacob remarking to me that if I persevered in such conduct it would prove my ruin. I will certainly not state this positively. I never had a visit from Major Jacob before. The only reason I can assign for Major Jacob's taking an opportunity of calling on me is that he was making calls in the camp, in return for my call on him the previous day. He did not call expressly for giving me the warning before referred to. I know I dined only once with Major Jacob after the apology. I have heard it mentioned that in consequence of my being removed from the table and Dr. Elliot's behaviour on a former occasion, the Rev. Mr. Watson had declined invitations to dinner at Major Jacob's to prevent his wife being a witness to such scenes. I was

on good terms with Lieutenant Kane in April 1853; I used to breakfast with him. I lived with him on my arrival at Bhooj in March. I took Lieutenant Thompson's advice, as he had known Lieutenant Kane longer than I did. I will positively state to this Court that my falling asleep was from drowsiness and in no respect from drunkenness.

*Re-examined.*—About the reprimand I don't recollect anything more than what I have already stated. I considered the reprimand much more severe from the kind manner in which the Colonel spoke to me than if he had done so harshly.

[The question "Was not the Rev. Mr. Watson peculiarly strict,—so strict that he refused to bury a corpse because carried to the grave by sepoy's?" was rejected.]

*Cross-examined.*—I believe Colonel Gidley at first was under the impression that I was the worse for liquor; but when at the Orderly-room or a little after eleven o'clock, I gave him my word of honor that I had not exceeded the previous day, Colonel Gidley spoke to me in the manner I mentioned before. I did not observe anything harsh in Colonel Gidley's conduct on the occasion. He was actuated by kind motives. I fully expected to be reprimanded. Colonel Gidley insisted, although I had satisfied him, that I should make an apology for going to sleep.

*By the Court.*—I firmly believe that Colonel Gidley implicitly believed to what I told him. Colonel Gidley was present at the party; I suppose Colonel Gidley did form his own opinion as to my conduct there. I have known Lieutenant Thompson ever since I have been in the Regiment,—more than four years. When Major Jacob called on me at my house and I apologized to him, he regretted that I had fallen asleep at the party where ladies were present. I really cannot say what Lieutenant Thompson's object was when he told me to go straight to Colonel Gidley. I believe all the officers knew of my having received the reprimand.

TWENTIETH DAY, SATURDAY, 13TH MARCH, 1854.

#### FOURTH INSTANCE.

*Lieutenant Thompson* called and examined by the Prisoner.—I was present at the Nautch given by the bachelors of the 15th Regt. in April 1853; it was given by the bachelors who were present at parade that morning. Dr. Elliot and Ensigns Loft and Hammond were present; they were all sober. I consider all persons in company to be sober; but when a person conducts himself in such a way as to draw particular attention, it is then a matter of opinion whether his conduct is the effect of drunkenness or not; the inference is that if he does not draw attention, he is sober. Colonel Gidley called my attention to Ensigns Loft and Hammond by telling me that Lieut. Kane had reported them drunk, and asked me if I considered them to be so; I said they were not. Colonel Gidley did not call my attention to Dr. Elliot. I never heard of Dr. Elliot being accused of being drunk on that occasion. I was not asked about the subject of the last answer at the Court of Enquiry; his name was not mentioned. I stayed at the Nautch about an hour; and afterwards went to supper at the Mess. Colonel Gidley, Dr. Elliot, Ensigns Fraser, Loft and Hammond accompanied me to the Mess; we broke up at about half past eleven o'clock. Dr. Elliot and Ensigns Loft and Hammond were all sober then.

*By the Prosecutor.*—I did not hear Colonel Gidley speak to Lieut. Kane about Ensigns Loft and Hammond.—[*Witness retires.*]

The prisoner here put in an application to be allowed to put leading questions to Lieutenant Fraser, the next witness, with regard to the 4th instance, he being unfriendly to the prisoner. The Court closed to deliberate on this application, and when declared open, it was granted. \*

**16TH WITNESS, Lieutenant Fraser,** of the 15th Regt., called and examined by the Prisoner.—I was present at a Nautch given by the officers on the occasion of the presentation of Colors in April, 1853. I saw Ensigns Loft and Hammond; they were both worse for liquor; they were intoxicated. I was examined at the Court of Enquiry on this point; I think I said they had a glass too much; I certainly did not say they were intoxicated; I don't remember what I exactly said then.

[The prisoner here proposed to put in the witness' hand an attested copy of the proceedings at the Court of Enquiry to refresh his memory. The Court closed to deliberate, and on being declared open, declined to entertain the proposal.]

I am now under arrest being accused of being in collusion with Colonel Gidley, by order of Colonel Sinclair, President of the Court of Enquiry. At the Court of Enquiry the President was not satisfied with the whole of my evidence, and I was consequently placed in arrest; it was not for one particular answer but for the whole of my evidence. I was given to understand that the President was not satisfied with it. I do not remember whether I stated then that Ensigns Loft and Hammond were sober. I saw Ensigns Loft and Hammond at supper at the Mess on the night of the Nautch. They were worse for liquor then as before. I was on friendly terms with Colonel Gidley when he left Mandavie under arrest; I don't speak to him now. I have not seen Colonel Gidley since he left Mandavie, because my evidence at this Court Martial could not be in his favour, so I thought it best not to speak to him at all. I have no ill feeling against him.

[The question "I ask you now positively to state whether you have had any conversation with any one since Colonel Gidley has been under arrest as to the evidence to be given by you at this Court Martial?" was considered in closed Court, which, after deliberation, was allowed to be on the record, but not to be put to the witness.]

I don't think the letter purporting "to be a certificate of the sobriety and gentlemanly conduct of the officers" was signed by any body; it was an answer I gave to a question put by Colonel Gidley to all the officers who were at the Mess, as to whether they had seen any case of drunkenness at Mess or Billiard-room; I don't think any other place was mentioned in the letter. My answer was in the negative. When I say Ensigns Hammond and Loft had a glass too much, I mean they were intoxicated with liquor.

*Question.*—Upon the 8th of September 1853 you answered in the negative when asked about your brother-officers being drunk in the Mess-room; you now say that Ensigns Loft and Hammond were intoxicated in the Mess-room in April of the same year, how do you reconcile this?

*Answer.*—I answered in the negative to save my brother officers of the Regt, as I knew the letter was going to the Commander-in-chief. [The Question "Then if at any time you said they were sober you said that which was not true?" was rejected.] Lieutenant Kane came and whispered at the Nautch to Colonel Gidley that Ensigns Loft and Hammond were the worse for liquor, or words to that effect.

*Cross-examined.*—I don't recollect when Lieut. Kane was relieved from the Adjutancy. I succeeded him in the appointment. Col. Gidley recommended me. I was actuated by the same feelings when I gave my evidence at the Court of Enquiry as when

I answered in the negative at the Mess-room to save my brother officers and the credit of the Regiment. For this I was put in arrest. I am now on my oath and I must speak the truth. I did not see Ensigns Loft and Hammond take any liquor at the Nautch. I went there with Lieut. Hoskins of the Artillery. I think Colonel Gidley was there. I don't remember seeing Colonel Gidley enter the tent. Ensigns Loft and Hammond were both in liquor at the Nautch. I saw Doctor Elliot there; he was on my left hand side; he was the worse for liquor. When a man is worse for liquor he must be drunk. When a man is not answerable for his actions I should say he is drunk. I have known Dr. Elliot for two or three years. He was not habitually a sober man; he was a hard drinker. His language was obscene on occasions. I am aware of the charges submitted to this Court against Colonel Gidley. I was examined at the Court of Enquiry on the case of drunkenness at the Nautch and also on other cases.

*By the Court.*—I formed my opinion of Ensigns Loft and Hammond being the worse for liquor at the Nautch. They were certainly incapable of performing any duty at that time. It was from their general behaviour that I considered them drunk. It was altogether a spontaneous act when I answered in the negative to save my brother officers at the Mess. Colonel Gidley, Lieuts. Stileman, Comyn, Laurie, Thompson, myself, Ensigns Hammond and Loft, were present at the Mess. Dr. Elliot was there. Lieut. Stileman was the only officer who dissented from the rest of the officers. He is a married man.

#### TWENTY-FIRST DAY, MONDAY, 20TH MARCH, 1854.

*Lieutenant Fraser* called and examined by the Prisoner.—The following question by the prisoner was not allowed to be put to the witness, but the Court permitted it to be recorded at the request of the prisoner on the proceedings.—“You have been asked as to whether you have communed with your conscience on this matter? Has the Rev. Mr. Watson given you any advice?”

*By the Court.*—I don't recollect how Dr. Elliot, and Ensigns Loft and Hammond went from the Nautch to the Mess; but I think I went in a glaree. I believe the reason why all the officers were not present at the Mess when the question alluded to before was put by Colonel Gidley, is that some were at Mandavie on sick certificate; Major Watkin was there on leave, and Lieut. Kane was on duty. I heard Lieut. Kane say that to Colonel Gidley. It struck me at the Nautch that the three parties, namely, Dr. Elliot, and Ensigns Hammond and Loft, were in liquor before Lieut. Kane reported to Colonel Gidley that they were the worse for liquor.—[*Witness retires.*]

*Ensign Loft* called and examined by the Prisoner.—I was present at the Nautch given by the officers on the Presentation of Colors to the 15th Regiment. I went there with Colonel Gidley and Ensign Hammond. After I had been a short time in the tent, I had occasion to go outside. Lieut. Kane followed me, he accused me of being intoxicated, and ordered me to go home; shortly after that, Ensign Hammond came out of the tent, and I told him that I had been accused of being intoxicated by Lieut. Kane. Ensign Hammond returned to the tent, and I believe told Colonel Gidley; he joined me afterwards, and he walked up and down with Colonel Gidley. When we left the Nautch I informed Colonel Gidley of what had taken place. The next day Colonel Gidley told me that he had spoken to Lieut. Kane at the Orderly-room, and that Lieut. Kane expressed himself sorry for being mistaken. Lieut. Kane also assured me on the same day on his word and honor that he had never reported me to Colonel Gidley for having been intoxicated. I met Lieut. Kane when I was riding with Ensign Hammond the same evening, and Lieut. Kane again said that he had reported neither of us

as being intoxicated. Ensign Hammond certainly was not drunk at the Nautch. Lieutenant Fraser (then Ensign) informed me at the Nautch that I had been reported as drunk. I was between twenty minutes and half an hour at Colonel Gidley's quarters before I went to the Nautch. Colonel Gidley was dressing then; and I waited for him with Ensign Hammond. I had had nothing to drink at Colonel Gidley's. I don't recollect having had any thing to drink at the Nautch. I am not aware of there having been any liquor at the Nautch. I walked afterwards to the Mess in company with Ensigns Fraser and Hammond, and Lieut. Thompson; I do not recollect whether any one else walked to the Mess. I believe Dr. Elliot was sober at the Nautch; I did not pay any particular attention to him.

*By the Prosecutor.*—I do not recollect the date of the Nautch; it was on the occasion of the Presentation of new Colors to the Regiment. I believe I said at the Court of Enquiry it was on the 24th of May (Queen's birthday); but afterwards I recollected that I had made a mistake. I may have said at the Court of Enquiry that I did not recollect who were present at the Orderly-room nor how long it was after the Nautch took place. I was not at the Orderly-room. I believe I said at the same Court that I was perfectly satisfied with whatever decision my Commanding Officer might have come to. I can't say whether my answer to a question at the same Court was that I could not recollect whether the Commanding Officer's decision was made known to me. I can't state this positively, after so long a time. I was on friendly terms with Lieut. Kane and had lived once with him as his guest; this intimacy ceased on the day of the Nautch. I can't account for Lieut. Kane's motives for having reported me to Col. Gidley. Lieut. Kane was not ordered to make any apology that I am aware of; nor did I receive any.

*Question.*—You have stated to-day that you drank nothing at the Nautch, and that you were not aware whether there was any liquor; now, if you had been intoxicated on that occasion the liquor must have been drunk previously; what occasion therefore could there possibly be for Lieut. Kane to make a formal report of your state to Col. Gidley, seeing that you came in company with the latter to the Nautch.

*Answer.*—I really cannot say; I have already stated what I had to say.

*Question.*—Will you say positively that Lieut. Kane did not tell you that in bringing your name to the notice of Col. Gidley he had no intention of making an official report but merely with the view of persuading you to leave the tent.

*Answer.*—I can't say positively; I don't recollect his having said so.

*Re-examined.*—Lieut. Kane reported me to Col. Gidley for being intoxicated; and as I was perfectly sober at the time, I wished I had nothing to do with him.

*By the Court.*—I was obliged to be satisfied with Lieut. Kane's word; but I did not believe his denial. I told Lieut. Kane I would never enter his house again as he had tried to take the bread out of my mouth, this was said on the day after he had denied that he had made any report.—[*Witness retires.*]

*Ensign Hammond* called and examined by the Prisoner.—I was present at the Nautch given on the occasion of Presentation of New Colors to the Regiment. I accompanied Col. Gidley and Ensign Loft to the Nautch. I took a vacant chair next to Lieut. Kane, and then entered into conversation with him, during which an arrangement was made that I was to breakfast with him on the following morning. After sitting with him for half an hour I got up with the intention of going to the Mess to order supper to be prepared. On going outside the Nautch tent I saw Ensign Loft apparently much excited; he came to me and told me that Lieut. Kane had been to him and said, "you are apparently the worse for liquor," and advised him to go home. After this I returned to the tent and mentioned to Col. Gidley what Ensign Loft had told me; while I was doing this, I believe it was Ensign

Fraser who whispered to me or said in a low tone, that Lieut. Kane had told Col. Gidley that I was also the worse for liquor. On this I appealed to Col. Gidley as to the correctness of the statement, and the Col., as far as I can recollect, replied, "don't talk about this here; this is not the place to speak of it." I was very much annoyed and said "very well, Colonel; but I'll have satisfaction at the Orderly-room," or words to that effect. On this I went outside the tent and walked up and down with Ensign Loft until Col. Gidley and other officers came out; and we went to the Mess to supper. On the next morning I wrote to Lieut. Kane asking for an explanation, excusing myself from breakfasting with him that day. Lieut. Kane then called on me that day, and said he had merely mentioned it to Col. Gidley that I was a little noisy, and suggested whether he had not better persuade me to go home. More conversation on the subject followed, and I considered that Lieut. Kane had not intended to injure me, and the matter dropt. I am not going to attempt to deny that I was excessively happy on the occasion, I had a glass or two of champagne during the day, it being a day of jubilee in the camp. I was perfectly capable of attending to regimental duty.

*By the Prosecutor.*—I did not take any further notice of the matter relative to my having said that I would have satisfaction at the Orderly-room next morning.

*Question.*—When Lieut. Kane called on you, did he not say he had not made a formal report but merely told the Colonel you were a little elevated, and would it not be better that you should leave the tent?

*Answer.*—Something to the same effect.

*Question.*—You have been candid enough to confess that you had taken a glass or two of champagne, and that you were excessively merry, will you in the same spirit of candour state if your conduct might not have displayed itself in such a tone as a man of ordinary sense might have considered you to be in liquor.

*Answer.*—No; I am not aware that my conduct was such as any would imply I was in liquor. I did not receive any rebuke from Colonel Gidley on account of my alleged drunkenness at the Nautch. I think I was riding with Ensign Loft on the evening after the Nautch, when we met Lieut. Kane who gave Ensign Loft the same explanation which he gave me in the morning; I believe that was the nature of our conversation.

*By the Court.*—I believe Ensign Loft was satisfied with Lieut. Kane's explanation; I don't know if Ensign Loft took any further notice of it.

*By the Prosecutor.*—I do not remember making myself conspicuous at the Nautch by throwing my arm round Lieut. Kane's neck and saying, "I love you old fellow;" I did not make myself free with the sepoys.

*By the Court.*—I saw Dr. Elliot at the Nautch, but I did not notice any thing remarkable about him.

*By Prisoner.*—From my conversation with Colonel Gidley, I did not suppose Colonel Gidley believed I was intoxicated.—[Witness retires.]

#### FIFTH INSTANCE.

The Prisoner did not call any witness on this instance.

#### SIXTH INSTANCE.

*Lieutenant Laurie* called and examined by the Prisoner.—I dined in the company of Colonel Gidley at Mess on the 13th of August; Dr. Elliot, Lieut. Comyn, Lieut. Fraser, Ensigns Loft and Hammond were also present. I went then to the Billiard-room about nine o'clock, to put our names down on the slate. I found Lieutenant Kane there with four or five other officers. I asked the marker where

the slate was. Lieutenant Kane was playing at the time; he came round to me, and said, "you are drunk; you had better sit down." I denied it, and went and sat down on the opposite side. Colonel Gidley came in a few minutes afterwards, accompanied by all the rest of the officers who were dining at the Mess. I went up immediately to him, took him out into the verandah and stated my complaint of having been accused by Lieutenant Kane of having been drunk. We returned to the Billiard-room and I sat down. There was not the slightest pretence or reason for the accusation of my being drunk.

TWENTY-SECOND DAY, TUESDAY, 21<sup>st</sup> MARCH, 1834.

*Lieutenant Laurie* called and examined by the Prisoner.—I was directed to send in a written statement of my complaint on the following Monday morning. The whole statement was read over to Lieut. Kane by Col. Gidley, and I was during the day directed by Col. Gidley to make an apology to Lieut. Kane and the officers who were present at the Billiard-room, which I did the following day. The apology was a written one. It was accepted. I have been thirteen years in the Service, and for ten years performed regimental duty with the 15th Regt. The discipline of the 15th Regt. during the command of Col. Gidley has been very good. It has improved from the time he joined; and there have been only four Courts Martial among the men during his command,—nearly two years,—and a gradual decrease of defaulters. Upon Col. Gidley's being placed under arrest and ordered to Kurrachee the feeling of all ranks in the Regt. was that of sorrow. Major Watkin returned from Furlough about the beginning of 1853, Capt. Kane about the same time joined from staff employ, and Lieut. Stileman in May last. I did not hear Surgeon Elliot make use of any expression in the Billiard-room.

*By the Prosecutor.*—I might have replied at the Court of Enquiry that "I was aware of the disturbance in the Billiard-room, but that I might be excused entering into its details." Six officers took offence at my conduct in the Billiard-room, and hence the necessity for my apology. I was not told that my statement and that of Lieut. Kane were shewn by Col. Gidley to Lieut. Mellersh of the Artillery, and that Lieut. Mellersh said mine was incorrect.

*By the Court.*—I heard the whole statement read over in the presence of Major Watkin. Lieut. Kane objected to a part of it. Major Watkin objected to the word "drunk." The nature of the apology was my regret for any conduct of mine that they might have considered offensive. I did not receive any rebuke from Col. Gidley for my alleged drunkenness; but I was ordered to make the apology.—[*Witness retires.*]

*Ensign Hammond* called and examined by the Prisoner.—I saw Lieut. Laurie in the Billiard-room about the 13th of August 1853, when several strangers were present. Lieut. Laurie after dining at the Mess, got up from table and went to the Billiard-room, I believe, with the intention of seeing if the lights were lit, as we intended to have a game of Billiards; I shortly afterwards followed him, and saw Lieut. Kane apparently much excited, directing in very angry glances towards Lieut. Laurie whom I observed quietly seated on a chair at the opposite end of the room. I thought I overheard Lieut. Kane say to Lieut. Mellersh, "Look to him, he is drunk." On seeing that something unusual must have taken place I went back to the Mess-room and told Col. Gidley what I had heard. Col. Gidley almost immediately came to the Billiard-room together with the officers

who had been dining at the Mess. Shortly after this I saw Lieut. Kane go to the Colonel and say something in a low tone of voice to which Col. Gidley replied, "whatever you have to say, I'll attend to at the Orderly-room" or words to that effect. Col. Gidley sent for me on the following Monday to his quarters. The result of the Billiard-room affair was that Lieut. Laurie made an apology, as Col. Gidley ascertained that his (Lieut. L's) conduct was insulting to the officers who were present in the Billiard-room. The apology was accepted. I believe Lieut. Laurie was perfectly sober on the night in question. When Col. Gidley was leaving Mandavie under arrest, all the native officers turned out and appeared much grieved; both native officers and men. I did not hear Dr. Elliot make any remark in the Billiard-room.

*By the Court.*—There was nothing unusual in Lieut. Laurie's conduct previous to his going to the Billiard-room.

*By the Prosecutor.*—Lieut. Laurie was rather annoyed at seeing visitors present, as we had made up a match to play at Billiards. I think Col. Gidley saw the apology; but I did not. I have heard about it.

*By the Court.*—I can't speak with certainty how Lieut. Laurie left the Billiard-room.—[*Witness retires.*]

#### SEVENTH INSTANCE.

In this Instance the Prisoner did not offer any evidence.

#### SECOND CHARGE.

##### FIRST INSTANCE.

*Ensign Loft* called and examined by the Prisoner.—I am aware of the nature of the first instance of the second charge. I never did upon any occasion in Col. Gidley's presence or at any place lay hold of Dr. Elliot in an indecent manner, i. e., by the private parts, as is alleged in this charge. I did not in the Billiard-room upon the occasion referred to in the charge make use of any disgusting language to Dr. Elliot.—[*Witness retires.*]

*Ensign Hammond* called and examined by the Prisoner.—I might have been in the Billiard-room in April 1853. I have seen the charges laid before this Court. I did not see Ensign Loft lay hold of Dr. Elliot by the private parts in the month of April 1853. I did not hear Ensign Loft make use of any language of a disgusting nature to Dr. Elliot in presence of Colonel Gidley on the occasion referred to in the charge.

*By the Court.*—I am induced to believe that I was present at the Billiard-room from the evidence of Ensign Coles before the Court of Enquiry, when he mentioned the officers who were present when I wrote down the proceedings. I don't remember if he mentioned the date. Colonel Gidley, Lieutenant Thompson, Ensign Loft and myself were present. I have no recollection personally of the occasion referred to in the first instance of the second charge. I may also add that from my knowledge of Dr. Elliot, he was not the man who would allow such an act to be committed on him with impunity.—[*Witness retires.*]

*Lieutenant Thompson* called and examined by the prisoner.

*Question.*—Ensign Loft has been accused of an indecent act towards the late Dr. Elliot in the month of April 1853, and it has also been stated to the Court you were present. Did you ever upon any occasion witness indelicacy, such as is alleged, i. e., did you ever witness Ensign Loft lay hold of Dr. Elliot by the private parts in presence of Colonel Gidley?

*Answer.*—No, never.

*Question.*—Or make use of any disgusting language?

*Answer.*—No, never.

*By the Court.*—I have no recollection of such an occasion as the one alleged in the charge. I was in the habit of going to the Billiard-room. I never heard Ensign Loft being accused until before the Court of Enquiry.

#### SECOND INSTANCE.

*Lieutenant Thompson* called and examined by the Prisoner.—I had been one day at the Mess after the tiffin was over; the Colonel and the Doctor were smoking; the rest of the party had gone to the Billiard-room; the Colonel would not allow the Doctor to go to the Billiard-room, because his trousers were torn. The Doctor sent to his house for another pair, but did not get one; so he sent to my house which was close by. My trousers were a great deal too large for him. He and I then went into the Billiard-room and sat down watching the game; after two or three minutes, he got up to shew how a stroko should be made, and in doing so his trousers slipped down and his person was exposed. Neither I nor any body else forcibly pulled down the pair of trousers Dr. Elliot had on. Colonel Gidley was not present when this happened.

*By the Prosecutor.*—The Billiard-room is about six yards from the Mess-room. Ensigns Loft and Hammond, Lieut. Hoskin, Dr. Elliot, and myself were present when the occurrence took place. I observed Colonel Gidley enter the Billiard-room about half an hour after this occurrence, not before. Dr. Elliot sat down on entering on the right hand side as we enter; the right hand wall is about six feet from the Billiard table. Dr. Elliot changed his trousers on the couch in the veranda. The couch is about eight or ten feet from the chair in the Billiard-room. When he got up from the chair and went to the couch he hitched the trousers up; and when he got up from his chair to walk towards the Billiard table to shew how the stroke was to be made he let go his trousers. He did not let them slip purposely, but it was quite unawares. I saw the trousers which Dr. Elliot changed with mine; they were split in the seat. He had no coat on as far as I recollect in the Mess-room; I know he had no coat on in the Billiard-room. Ensigns Hammond and Loft were laughing at Dr. Elliot. There were no remarks made; they were merely laughing at him. Lieut. Hoskin was present, but he took no part in the fun. Dr. Elliot got angry and called us a set of snobs, or words to that effect, which he apologised for afterwards.

*Re-examined.*—I am quite sure Colonel Gidley was not present when the occurrence took place.

*By the Court.*—I was behind Dr. Elliot; I saw his testicles. Dr. Elliot apologised next morning; we called on him for the apology and he gave it the next morning in a note. I do not know how Dr. Elliot's trousers happened to be torn. A dress which is good for Mess is considered equally good for the Billiard-room. The expression Dr. Elliot made use of called for his apology; because if he let down his trousers, we had a right to laugh at him; perhaps we went a little too far but not enough to justify the expression. Dr. Elliot was about fifty years old. I don't know of any apology being made to Dr. Elliot by us. I don't know whether Col. Gidley knew of Dr. Elliot having made an apology to us for calling us a set of snobs.—[*Witness retires.*]

*Ensign Hammond* deposed.—I was in the Billiard-room one afternoon when Dr. Elliot's trousers or rather the trousers he had on slipped down; they were not Dr. Elliot's; I believe they were Lieut. Thompson's. When the Doctor got up and interfered with the game his trousers slipped down. I can't say whether Colonel Gidley was present at the time.

TWENTY-THIRD DAY, WEDNESDAY, 22<sup>ND</sup> MARCH, 1854.

*Ensign Hammond* examined by the Prosecutor.—Col. Gidley might have come into the Billiard-room and gone out too. I did not go up to Col. Gidley nor did I express myself to him in any indecent language. In my presence no person placed a hand on the Doctor to pull his trowsers down. I can't be certain as to whether Col. Gidley was present or not, when Dr. Elliot's trowsers slipped down. I and Lieut. Thompson tickled him with sticks to make him pull up his trowsers. His trowsers slipped down about the knee. To the best of my recollection I did not speak to Col. Gidley in reference to Dr. Elliot before his trowsers slipped down; I don't recollect whether Col. Gidley was in the Billiard-room at the time. I am acquainted with Lieut. Hoskin of the Artillery. I have never heard that he behaved in an ungentlemanly manner.

*Re-examined.*—On the occasion when the Doctor's trowsers slipped down, Ensign Loft and myself were, I believe, playing the game of Billiards. Col. Gidley was not there as far as I can recollect.—[*Witness retires.*]

*Ensign Loft* deposed.—I was present in the Billiard-room of the 15th Regt. in the month of May last. I had been to tiffin in company with Col. Gidley, Ensign Hammond, and Dr. Elliot. After tiffin I went into the Billiard-room with Ensign Hammond; and shortly afterwards Lieut. Hoskin of the Artillery came in; in the middle of the game of Billiards, Dr. Elliot made his appearance, and seated himself at a short distance from the Billiard table. After being seated for some time he said, "you don't know how to make a stroke; let me show you." He then got up from his chair and his trowsers slipped down. Dr. Elliot did not attempt to pull his trowsers up at the time, but re-seated himself. I, together with Ensign Hammond and Lieut. Thompson, poked at him with cues and told him to pull up his trowsers, which he did. I believe Col. Gidley was not in the Billiard-room when this occurrence took place; I did not see him there. I did not hear any indecent language used to Dr. Elliot by any one in the Billiard room on this occasion.

*By the Prosecutor.*—I will not state positively whether Colonel Gidley was or was not present in the Billiard-room; I did not see him there on the occasion. Dr. Elliot did not attempt to shew us the stroke at Billiards, I can't state how myself, Ensign Hammond and Lieut. Thompson were situated when Dr. Elliot's trowsers slipped down. Dr. Elliot re-seated himself immediately after getting up from his chair when his trowsers slipped down. They slipped down as far as the knee. I saw a part of his leg denuded, from the shirt down to the knee. I state positively that I did not hear any indecent remark made to Dr. Elliot. I am slightly acquainted with Lieut. Hoskin of the Artillery, and I have never known or heard anything against him.

*Re-examined.*—I can't say I could have heard any observation, as there was laughing and talking in the Billiard-room; I think, I should have heard one if it had been made. I was playing with Ensign Hammond at the time the occurrence took place.

*By the Court.*—I certainly cannot explain how one could have said the Doctor's trowsers were forcibly pulled down when I saw and said that they fell down. Such an occurrence would have been put a stop to, had Colonel Gidley been present. Dr. Elliot called on us and made an apology in a note for calling us a set of snobs. I believe he had not received any previous apology from any one of us; I did not apologise to Dr. Elliot, as I looked upon the matter as a mere joke.—[*Witness retires.*]

The following evidence given by Ensign Hammond and Lieut. Fraser is on the Third Instance of the charge, and ought to have

been printed on the 42nd page, just before the twentieth day's proceedings.

*Ensign Hammond* examined by the Prisoner.—I was present at the dinner party in April 1853 given by Major Jacob where several ladies were present. I saw Ensign Loft there, who before the cloth was removed fell into a sound sleep. I rode to Major Jacob's in company with Ensign Loft; he was perfectly sober. I sat next Ensign Loft at dinner; I observed he partook very moderately of wine. I have on more than one occasion seen Ensign Loft fall asleep during the meals, leaving his beer and wine untouched in the glass, and from the small quantity I observed him take on this occasion (Major Jacob's dinner) I am convinced that it was not the wine that caused him to fall asleep. I was told by Ensign Loft that he had been reprimanded by Colonel Gidley the next day for falling asleep at a dinner where there were ladies present.

*Cross-examined.*—I assisted Major Watkin in removing Ensign Loft from the table. I do not remember Major Watkin making any remark about Ensign Loft's condition. I did not tell Major Watkin that it would be hard if Ensign Loft was brought up when another had been left off.

*By the Court.*—I did not see Ensign Loft after he quitted the chair in the veranda. I did not see how he went home. From the deep sleep he was in he required assistance to be removed from the room. It was not drowsiness but deep sleep. He did not wake up when he was taken out. I did not see Ensign Loft touch beer at the dinner that evening. Ensign Loft's sleep was most extraordinary. I cannot assign any cause for it. I don't know certainly if Ensign Loft had drunk any thing during the day before going to Major Jacob's. I have stated that he was perfectly sober when he drove to Major Jacob's. I particularly observed that Ensign Loft did not take beer.

*Re-examined.*—I believe there were ladies present on the second occasion when Ensign Loft dined at Major Jacob's. The following morning I called on Ensign Loft, when he shewed me a note he had received from the Adjutant, Lieut. Kane, telling Ensign Loft that the colonel wished to see him at the Orderly-room, also adding, that he would call at his (Lieut. Kane's) house on his way as he would speak to him, or words to that effect.

*By the Court.*—I never saw Ensign Loft in so heavy a sleep as that at Major Jacob's. I have frequently seen Ensign Loft sleeping at table, but we have had no occasion to disturb him. As near as I recollect he took sherry wine at Major Jacob's; he certainly might have taken champagne. Ensign Loft told me that he had been reprimanded; others knew it I know; but I can't say whether it was generally known. As to what he was reprimanded for I understood from him that Col. Gidley commenced his reprimand thinking it was under the influence of liquor that he became sleepy; on Ensign Loft's assuring him that he partook moderately of wine at dinner, and that I could come forward as a witness that I had ridden to dinner with him, he being perfectly sober at the time, the Colonel reprimanded him for ungentlemanly conduct in falling asleep at dinner where ladies were present. Two or three glasses of wine constitute I think, moderation.—[*Witness retires.*]

*Lieutenant Thompson* called and examined by the Prisoner.—I remember a party given by Major Jacob in April 1853. He, Ensign Loft, called for me on his way to the party. I did not go with him as I was not well. He was sober at that time. I saw him the day after the dinner, at seven o'clock in the morning; when I was there a note was brought him from the Adjutant, Lieut. Kane, to this effect, "I am ordered to require your attendance at the commanding officer's quarters at eleven o'clock; if you will come to my house on your way I'll put

you up to something," or words to that effect; "at any rate do not go to the Colonel before you see me." I recommended Ensign Loft not to go to Lieut. Kane but to go straight to the Colonel; because I mistrusted Lieut. Kane's motives. I was told by Ensign Loft that he was reprimanded by Colonel Gidley. I was not present when he was reprimanded.

*Cross-examined.*—I can't remember if I was examined in October and November last at the Court of Enquiry as regards this note of Lieut. Kane's.

*Cross-examined.*—I was subjected to a very long examination at the Court of Enquiry on a variety of subjects, and which altogether confused my memory. I can speak positively as to what occurred before that. I cannot state positively if I had any conversation with Ensign Loft about Lieut. Kane's note when the Court of Enquiry was sitting or just before it. I am sure I cannot say whether Ensign Loft would have consulted me and Ensign Hammond to correct his answer at the Court of Enquiry relative to Lieut. Kane's note. I don't recollect all that I said. The question by the Prisoner, "don't you consider it would have been very improper for any one to have himself tutored in the evidence he was to give before a Court of Enquiry?" was disallowed by the Court.—[*Witness retires.*]

Colonel Gidley here put in letter dated 8th September 1853, addressed by him to the Adjutant General of the Army, explanatory of the charges made against the officers of the 15th Regiment, a copy of which was attached to the proceedings. This letter was read to the Court by the Deputy Judge Advocate General. Colonel Gidley then applied to the Court for twelve days time to prepare his written defence. The Court having closed to deliberate, was re-opened, and granted the Prisoner's request, and then adjourned until the 3rd April 1854.

#### TWENTY-FOURTH DAY, MONDAY, 3RD APRIL, 1854.

The Court re-assembled to-day at 11 o'clock, immediately after which Mr. Barton proceeded to read the following

#### DEFENCE.

##### TO THE PRESIDENT AND MEMBERS OF THE GENERAL COURT MARTIAL.

GENTLEMEN,—The time has arrived when it becomes necessary for me to address you in my defence, a defence rendered most peculiarly harrassing and difficult from the extraordinary nature of the charges framed against me, as they involve not only my own honor and character, but the future welfare and success in life of younger men, who are, in reality, just as much the subject of this Prosecution as I am myself, and for whom, as well as myself, I crave, and doubt not shall obtain, a patient hearing, and a just and honorable verdict.

Previous to commenting on the evidence adduced on the Prosecution, I beg to draw your attention to the letter which the Judge Advocate brought to light in his cross-examination of one of the Witnesses on the Defence. This letter has already been read to the Court, but I beg your attention again while I read it.

It is apparent that the charges are accumulative, the first instance having been stated to occur as far back as January 1853. Five other instances are based on alleged delinquences in the month of April; two, again, in the month of May, and lastly one in August of the same year. This is opposed to all principles of Military Law.

I cannot help remarking that it would have been far preferable and more conducive to the welfare and honor of the service, had these alleged instances been investigated individually at the time of the occurrences, instead of being allowed

to accumulate. Mine is no easy task. I desire not only to exonerate myself, but to vindicate the character of the officers under my command, one of whom is now in his grave. I allude to Doctor Elliot. His name is brought forward in no less than five instances out of the nine, which comprise the two charges; and I must be permitted to remark, that if it is a cruel thing to speak ill of a man behind his back when living, how much more so to endeavour to cast a slur on his reputation when he is dead!

I would also observe, that the Regiment was reviewed in the latter part of April last, prior to which six of these instances are stated to have occurred. Why did not Major Watkin, second in command, and Lieut. Kane, the newly made Adjutant, bring these matters to the knowledge of the Brigadier when he called on the officers to state if they had any complaints to make? Why—because in reality such facts were without foundation. The oft told tale been repeated till the hearers believed themselves spectators, and having committed themselves unguarded, dare not retract.

I now advert to collusion—a term opportunely seized upon by the President of the Court of Enquiry, and made available as the excuse for placing five officers—Lieutenant Laurie, Line Adjutant; Lieutenant Comyn, Acting Quartermaster; Lieutenant Fraser, Acting Adjutant; Ensign Loft and Ensign Hammond—under arrest, because the evidence they gave before the Court of Enquiry was at variance with Lieutenant Colonel Sinclair's preconceived ideas on the subject.

I shall proceed to review the evidence upon the several instances of the two charges, and lest that the peculiar nature of them should, in any way, embarrass or confuse, I shall endeavour to explain both the Prosecution and the Defence as negative in their nature. This I consider it necessary to do, fearing lest a paragraph in the rules of evidence applicable to Courts Martial might militate against me. That rule says, that affirmative testimony shall be preferable to negative.

This rule may at first sight make my defence appear inconsistent and valueless; but I hope to shew in a few words that such is not the case.

The charges framed against me are for acts of omission in not noticing alleged delinquencies. These acts of omission, certainly, require a negative proof, and supposing these acts to have occurred at all, then I maintain there is no apposite or absolute proof that I did not notice them, and when so much depends upon the issue of this trial you must be satisfied, not only that these acts of drunkenness and indecency were really committed, but also that they were unmistakably and officially brought to my notice, and that without good and sufficient reason I neglected to take cognizance of them.

The Defence is also, as I have said before, of a negative description; but in the evidence for the Defence positive denials of the alleged acts have been made, and so far I consider, and hope also to impress upon your minds that taking into consideration both sets of evidence, the Defence has positively denied the commission, while the Prosecution could not positively affirm that no notice had been taken of the acts which I am accused of countenancing.

I shall now proceed to notice the First Instance of the First Charge, in which the late Dr. Elliot is accused of having been drunk and indecent in his language at Major Jacob's.

The first witness called upon this charge was Dr. Beatty, a gentleman to whom the late Surgeon Elliot was totally unknown. After a few irrelevant questions, the first answer which has any bearing upon the instance is in reply to the question, "Did you observe any thing particular in the conduct or manner of Dr. Elliot?" His answer was, "I remarked his riotous conduct, and heard him speak

ing about a medal. He was calling out very loudly about the seige of Mooltan, and the witness heard Major Jacob say that he had come into "civilized society"—meaning, I presume, that he was not then at Mooltan, and expressing a wish that he should keep quiet.

This is the entire substance of this Gentleman's evidence as far as the prosecution is concerned. To a question put by the Court he says, "I was under the impression that Surgeon Elliot was under the influence of liquor, but did not hear him use any indecent language."

What this gentleman was called to prove I know not, as the prosecution never even asked him any question as to the two points alleged in the charge, and had it not been for the question put by the Court, he would not have even expressed an opinion as to the state of Dr. Elliot. You must also bear in mind that this witness negatives the use of any indecent language, and as he admits he heard none, it is not natural to suppose I was also unaware of any indecent language having been used by Surgeon Elliot upon this occasion.

The second witness in this instance is Lieut. Mellersh, almost a perfect stranger to Surgeon Elliot, who sat upon the opposite side of the table near the end. When asked in what state Surgeon Elliot was, he replied "He was intoxicated."

The former witness was only under the *impression*; but this gentleman speaks positively, although seated up a greater distance than the first.

When asked how he formed his opinion of the intoxication of Dr. Elliot, his answer was, "He was talking and laughing loudly during the night." He did not recollect any thing particular, but Dr. Elliot was talking about the seige of Mooltan, and Major Jacob tried to change the conversation, but did not succeed. So far, gentlemen, not one word of indecency nor appearance of drunkenness beyond laughing and talking loudly was apparent. This witness also says that he had only seen him once before at Sukkur—that as far as he had seen of his manner it was boisterous in the extreme, but not one word more of obscenity or act of drunkenness does this witness depose to, except that when Surgeon Elliot had left, he judged from his walking and manner that he was drunk, and that at that time I was not present.

This is his evidence, with the exception of one question put by the Court, viz. "Was Dr. Elliot so evidently drunk, when Colonel Gidley was present, that the latter must have observed it? To which he replies "Most decidedly." I ask you to draw your inference from the former parts of this evidence, and reconcile it with the reply to the last question.

The next on the list of witnesses is Lieut. Billamore: he also was present at this dinner party. He says Dr. Elliot was drunk. Again this unmistakable word is used and used without consideration of the serious consequence that might ensue from its careless and needless use: and that I have not spoken here either harshly or unguardedly, mark the answers that follow. On being asked what led him to form the opinion that Dr. Elliott was drunk he replied, "From his rambling way of talking." If rambling talking, Gentlemen, be a sign of drunkenness, I should say this witness might himself be in danger, for in answer to the very next question. "Do you remember any thing?" he said? he states, "No." Be it remembered this reply is not elicited on cross-examination, but by the Prosecution. Then immediately follows a question, "Do you remember the nature of his conversation?" to which he replies, "Yes; Dr. Elliot's language was disagreeable and insulting to the Reverend Mr. Watson?" This, really, assumes a serious shape, when we find three contradictions within a very few seconds, in reply to questions not irrelevant but bearing immediately on the particular instance. The first question on cross-examination was, I confess, asked by me for the purpose of test-

ing the credibility of this witness, and was to this effect :—"How are you able to judge of the nature of the conversation ?" the reply was, "I remember that Dr. Elliot once talked about women, and that that made Major Jacob try to turn the conversation."

Please bear in mind that the two former witnesses stated the reason Major Jacob wished to change the conversation was the Doctor's boisterous talking about Mooltan. This, however, is a trifling discrepancy compared to others which follow, which I shall here adduce, witness being asked, "What was the nature of the obscene language,—talking of women not being necessarily obscene?" His answer was "I don't recollect,—he was alluding to Mr. Watson's profession?" You here perceive at one moment the witness says the Doctor was talking about women, and in the same breath that he was alluding to Mr. Watson's profession. I am at a loss to find out the analogy. He is then asked whether what he deposes to is from hearsay or from his own knowledge, to which he replies, "From my own knowledge, I believe." The question is then put to him point-blank whether he could positively state one indecent expression made use of. His reply is to this, "I cannot say that I remember any particular word; but I am positive I did hear obscene expressions."

The last and most important question I then thought it necessary to put to this witness was, "Might not the expression made use of by Doctor Elliot have been, '*Much as I venerate your cloth, I like petticoats better*, and would you consider that obscene?" The answer is just what might be expected. "It might have been that; and I do not consider that obscene."

I shall here, Gentlemen, take leave of this witness, but would call upon you to look at his evidence most carefully.

The next evidence is the Reverend Mr. Watson, upon whose statements I shall comment as lightly and briefly as possible, taking care to point out to you some discrepancies. When asked what was the state of Dr. Elliot at the dinner party, he replied "He *seemed* to me intoxicated, was noisy, and used language highly objectionable, and his manner was different from what it was when I have seen him sober." You may remember one of the last questions through the Court was "Had you ever seen him before?" To this he unhesitatingly answered, "No." I merely put these questions and answers together for the Court to see how many discrepancies of a serious and important nature to me have taken place during this trial. He was then asked, what was the tenor of Dr. Elliot's conversation. His answer was, "He was swearing the whole time." He was further asked, "Do you remember any thing particular that he said?" To which he replied, "Here comes that damned fellow with the baboes." Now, it is a curious circumstance, that not one single witness corroborates the Reverend Mr. Watson as to the use of this, the only expression that can be termed objectionable during the whole of the dinner party—although several people were sitting quite near enough to Dr. Elliot to have heard it, if used.

Persons sitting closer to the Doctor than the above witness did not hear any such expression.

How, then, could I, mixing in general conversation, be expected to hear that which, as it now turns out, was only heard by the Reverend Mr. Watson?

The next instance is that of Lieutenant Conyn being drunk on his way to the Durbar of His Highness the Rao of Cutch; and the defence to this charge is that this affair was not reported to me officially or otherwise, and the evidence for the prosecution is of such an extraordinary and contradictory nature that it is my intention to comment very lightly on it; but there is one point I must entreat you to bear in mind that none of the witnesses pretend to say that I saw

Lieutenant Comyn on his way to the Durbar. I must not, however, omit to notice that both Major Watkin and Lieutenant Kane were aware of the state Lieutenant Comyn was in. Lieutenant Kane states that he reported to Major Watkin and not to me,—as his duty should have dictated to him,—and Major Watkin took on himself to send Lieutenant Comyn home without reporting the circumstance to me. How can this extraordinary conduct on the part of both officers be accounted for? In no other way than this, Lieutenant Kane had made up his mind that Major Watkin should command the Regiment, and himself (Captain Kane) be virtually the commanding officer. He had gained his first step in securing the Adjutancy six days previously. His wish was father to the thought; and he was so led away by his own ideas, as actually to forget for the time being the existence of such a person as Colonel Gidley.

I am sure I need not remind this Court that whatever Lieutenant Kane said, Major Watkin obeyed.

With regard to the next instance, in which Ensign Loft, of whom we have heard so much, is accused of having been drunk at Major Jacob's—ladies being present—I confess that I had at the time my doubts as to his state of sobriety on that occasion, and until assured upon his word of honor which I have never had reason to doubt as yet, that he was not intoxicated, I, myself, was dubious as to the fact. Whether he was intoxicated or not is a question for you to judge; but to this fact I do pledge myself, that I most severely reprimanded Ensign Loft, and directed him to make an apology to Major Jacob for the great rudeness he was guilty of in falling asleep at table. Some remarks have been made with regard to my having ordered Ensign Loft to write this apology for merely falling asleep; but I strongly suspected that this breach of good manners would have been misrepresented, and that the first impression under which I myself laboured might have been indelibly fixed upon the mind of others, who did not trouble themselves to inquire into the real truth. That I did reprimand Ensign Loft on this occasion, will, I hope, not be disputed. This being admitted, this charge falls to the ground. I shall not further detain you with this Instance, but shall merely call your attention to the evidence of Major Watkin, and the extraordinary and contradictory reasons he gave for not officially reporting the circumstance to me.

The instance of the Nautch in which Ensigns Loft and Hammond, and the late Doctor Elliot, are implicated, is another proof of the small grounds on which this Prosecution is based. I myself accompanied Ensigns Loft and Hammond to the Nautch, and certainly although they had a glass of Champagne during the day, before entering the Nautch tent, and were in a happy and jovial state, the word drunk is by no means applicable to them; and except in the judgement of persons who are determined to view matters in extremes, no one could have supposed them drunk. The Nautch was a private one, given by the Bachelors of the 15th Regiment to the men, in honor of presentation of new Colors. I gave a Champagne breakfast, and on the morning of that day on parade invited the officers present. The way in which Lieutenant Kane received this invitation is characteristic of the man, in as much a showing how he wished to keep aloof from the innocent enjoyments of his brother officers.

I shall not advert to the evidence of Lieutenant Fraser beyond remarking, that it is most pitiable and degrading to observe that an officer could so far commit himself as to admit that his deposition given before the Court of Enquiry was false. It is most painful for me to comment thus upon an officer who has served under my command.

With reference to the 5th Instance, a few remarks are necessary. Lieutenant Coles is the accuser, and his own servant is brought forward to make good

his master's evidence; but the reverse is the case, as the intelligent Native avers that Dr. Elliot was sitting quietly with me, and on receiving the note Doctor Elliot immediately sent for his Bullock Cart. This was certainly not the act of a drunken man, but that of an attentive Medical man.

I may here safely state that it has not been my lot to meet with a more attentive medical man. His kindness and attention to the men during the severe sickness in Upper Scinde will long be remembered in the Regiment. In proof of the respect in which he was held, it may not be amiss to state, that scarcely a man off duty was absent from his funeral.

To return to the Instance. Dr. Elliot is proved by the only evidence to have been sober at my house. He may have gone to visit Ensign Coles on the 13th April, or he may have not. He may have gone drunk, or he may have not. Ensign Coles may have made him drunk for what I know—His conduct on that occasion was not brought to my notice. This present charge would have been triumphantly upset had the accused been alive to answer to it.

In regard to the 6th Instance I have adduced only two evidences on this point, and to save the Court unnecessary attention to my recapitulating testimony, as my letter No. 312, dated 8th September last, shews that Lieutenants Comyn, Fraser, and Ensign Loft, were evidences upon this point, both of these documents are attached to my Defence.

Both witnesses called for the prosecution state positively, with reference to the 7th Instance, that Ensign Loft was sober. These were the only witnesses present, and were produced for the Prosecution. I may here remark that in the first copy of the charge sent to me, Ensign Hammond was charged along with Ensign Loft of having been drunk on this occasion, I may also say that there were originally two more instances which have since been left out.

Ensign Loft drunk in the Mess-room, date unknown, and Ensign Loft abusive to the Messman.

That the latter Instance should have been struck out, I much regret, as I have evidence to prove that the Messman stated at my quarters that he had no complaint to make against Ensign Loft, but that Lieut. Kane, who was Adjutant and Mess Secretary, had ordered him to make a complaint.

I now beg the attention of the Court to the 2nd Charge. On both Instances the witnesses on the Prosecution are Lieutenant Coles and 2nd Lieutenant Hoskins. With reference to the former it is open to supposition that from his evidence now tendered being greatly modified to what he offered at the Court of Enquiry, he is cognizant of the serious consequences which might accrue had he positively affirmed to the commission of the obscene act alluded to in the first. In both Instances three witnesses were adduced by me, who gave an emphatic denial to the accusations preferred, and from what I know of Ensign Loft, I do not believe him capable of committing such indecency.

Previous to closing my comments on the evidence, I beg here to make mention that extreme latitude was allowed the Prosecutor in preferring leading questions to nearly the whole of my witnesses. I am aware that certain instructions were received on this point; further than this I cannot possibly know. However, the principle of this Proceeding is contrary to Military usage, and is calculated to cast a slur upon their characters, and has a tendency to impeach their veracity. This mode of examination of evidences immediately suggested to me that the term *collusion* applied to all my witnesses with one exception, Lieutenant Thompson, may have been the cause for this unusual proceeding; and to clear up this point, I addressed Army Head Quarters to supply me with any justification Lieutenant Colonel Sinclair, the President of the Court of Enquiry, may have offered for using

this opprobrious term, and for acting thereon. Copies of my communications and the reply are attached. No answer has been received in reply to my letter dated 31st ultimo, pointing out, that it was Colonel Sinclair's intention of affording justification for any measures he might adopt.

If not proven, the result to the individual from whose original statement it was found necessary to frame these charges will be to teach him how dangerous it is to trifle with the character of his commanding officer.

I now, gentlemen, am about to conclude my defence, and before doing so, I must tell you that I have been four and a half months under arrest, and was transported from the Province of Kutch to Kurrachee; but why or wherefore it was never officially communicated to me, nor am I at this present moment aware of what irregular conduct I had been guilty of in any way, and if these offences were proved, it strikes me that I have been punished enough already by this cruel degradation. If my defence has been tedious, it is from the peculiar nature of the charges, and the constant repetition observable therein. That tediousness will, I hope, be forgiven me, as well as any unnecessary trouble occasioned during these protracted proceedings. Nearly every officer I see in this Court Martial is of my own rank in the service. For thirty-four years I have served in the Army and little thought that at this time I should have been compelled to appear before a body of officers of such tried and known honor and integrity, to answer charges which I trust have been proved frivolous and vexatious.

One consolation, however, remains to me; I am sure of a just and true finding in your decision. Whatever it may be, I shall bow to it with respect, feeling confident that justice will be done me, which will restore me to my former position, which has been degraded in the eyes of my brother officers, that of the Army and that of the men I had the honor to command.

I have the honor to be, Gentlemen,  
Your most obedient servant,

(Signed) THOMAS GIDLEY, Lieutenant Colonel

Bombay, 3rd April, 1854.

22nd Regiment N. I.

Bombay, 27th March, 1854.

SIR,—I have the honor to request you will obtain permission of His Excellency the Commander in Chief that copies of the undermentioned Documents be furnished me as necessary to be alluded to in my defence.

1.—Letter from Lieutenant Colonel Sinclair, justifying his assuming the command of the Troops in Cutch, and all subsequent letters on the subject, whether forwarded through the Division or direct.

2.—Letter from me forwarding Lieutenant Kane's resignation of the Adjutancy 15th Regiment N. I.

Letter from Division authorizing Lieut. Colonel Sinclair to assume command of the troops in Kutch in the event of any thing highly irregular being brought to his notice.

(Signed) T. GIDLEY, Lieut. Col.

To the Adjutant General of the Army.

No. 1632.

From LIEUTENANT COLONEL J. HALE,

*Deputy Adjutant-General of the Army.*

To LIEUTENANT-COLONEL T. GIDLEY, 22nd Regiment N. I., Bombay.

SIR,—In acknowledging the receipt of your letter, dated the 27th instant, I am

directed by the Commander-in-Chief to furnish you with copy of the Document referred to in the 2nd para thereof, and to intimate that the letters referred to in the 1st and 3rd paras are not on the records of this Office.

I have the honor to be, Sir, your most obedient servant.

(Signed) J. HALE, Lieutenant-Colonel,

Deputy Adjutant-General of the Army.

Adjutant-General's office, Head Quarters, }  
Bombay, 29th March 1854. }

Bombay, 31st March 1854.

SIR,—I have the honor to acknowledge the receipt of your letter, No. 1632, dated 29th ultimo, and its enclosures, a copy of the letter solicited in the second para of my communication to your address 27th idem.

2nd.—I beg to state for His Lordship's information, with reference to my application contained in the para marked 1 of my letter above referred to, that a communication was made by Lieutenant Colonel Sinclair, who had assumed command of the troops in Kutch, that his assumption of command and other measures would be justified in future references on the subject.

3rd.—Of the foregoing information I am made aware by Lieutenant Lamie who at that time was Line Adjutant and wrote from the Draft of Lieut. Col. Sinclair.

4th.—I beg to remark with reference to the 3rd para of my letter dated 27th ult. that I myself am aware of having perused a letter or memo. from Division Head Quarters, authorizing Lieutenant Colonel Sinclair to assume command if he noticed any highly irregular conduct, but with reference to the same I would not further trespass on his Lordship's attention on this latter point.

I have &c.

(Signed) T. GIDLEY, Lieut. Col. 22nd Regt. N. I.

The Adjutant General of the Army, Bombay.

TO THE ADJUTANT-GENERAL OF THE ARMY, POONA.

SIR,—I do myself the honor to forward for the information of His Excellency the Commander-in-Chief, the accompanying letter to my address from Lieutenant and Adjutant Kane, of the Regiment under my command, soliciting permission to resign the Adjutancy.

2nd.—Adverting to the 2nd and 3rd paras of Lieutenant Kane's letter, I beg leave to offer the following explanations :—

On the morning of the 19th instant, Lieut. Kane laid his letter before me at the Orderly-room, and on asking him to explain the nature of the alleged insult and ill treatment complained of while in the discharge of his duty; he stated that I had insulted him once on parade, once in the Billiard-room, and once at the Orderly-room.

3rd.—I then recommended him to recall the 2nd and 3rd paras of his present letter, and gave him 24 hours to consider of it, as also that I thought his resigning the Adjutancy was the best thing he could do.

The following morning at Orderly-room I read over to him the 2nd and 3rd paras of his letter and told him that he was mistaken, and it was altogether incorrect, that nothing was further from my thoughts than to ill-treat or insult him, and as to the occurrences alluded to in the 3rd para "as having been brought to my notice, &c.," they were beyond my comprehension, and I again recommended him to recall them. He declined, and I have consequently forwarded his letter.

I beg leave to request that his Lordship will be good enough to accept Lieutenant Kane's resignation of the Adjutancy of the 15th Regiment N. I.

4th.—I beg leave further to state that I have for some weeks past had occasion very often to reprove Lieutenant Kane for the pert manner, as also his want of temper and the dictatorial style he assumed towards me, and have repeatedly advised, warned, and explained to him the consequences if he persisted in such behaviour, as it was very improper and offensive to me, and that if he did persist I should feel myself called upon to report him to Head Quarters. I acted thus leniently towards Lieutenant Kane with the hope that he would improve.

5th.—Lieutenant Kane has been attentive and zealous in the performance of his Parade duties, but his general bearing and his determination to persist in contradicting and dictating to me renders him unfit for the appointment of Adjutant.

6th.—The general tenor of the 2nd and 3rd paras of the enclosure appears to me to demand notice in a more serious form, from me, but I leave that consideration for His Lordship's decision. I have the honor to be, Sir, your most obedient servant,

(Signed) T. GIDLEY, Commanding 15th Regt. N. I. and Station.

Camp Bhooj, 21st August 1853.

True Copy (Signed) J. HALE, Lieut. Col., Dept. Adjt. Genl. of the Army.

After the reading of the Defence, there was a point raised, as to whether the Judge Advocate had the right to impugn the evidence of a witness called by himself. On this subject the prisoner put in the following plea:—"The Judge Advocate proposes to call evidence for the purpose of falsifying the evidence of Lieutenant Comyn, upon the Seventh Instance of the First Charge—that witness having been originally called by the prosecution, and permission having been obtained from the Court to cross-examine him as an unwilling evidence, he is bound by his evidence, and cannot now, when the defence is closed, and the prisoner's mouth sealed, call evidence to falsify his own witness.—This would be contrary to all rules of evidence." The Court was then closed to decide the point, which was given in favor of the prosecution.

*Lieutenant Wainwright*, recalled, and examined on his former oath.—In August 1853 I was on good terms with Lieutenant Comyn. On the morning of the 4th of August, Lieutenant Comyn told me that Ensigns Loft and Hammond were heavily drunk at Colonel Gidley's at two or three o'clock that morning, and that he (Colonel Gidley) accompanied them home in a bullock cart. I had two conversations with Lieutenant Comyn about the middle of September. Mr. Comyn requested me not to mention the circumstances to anybody; and I offered, in the presence of the Revd. Mr. Watson, to give a paper stating that he had done so. Mr. Comyn wished me to give him a modified statement of the circumstances, but I declined to do it. Mr. Watson advised me, if called upon, to speak the truth. He also offered to go to Colonel Gidley, and to tell him that Mr. Comyn had spoken this in confidence. On the second day, both Mr. Comyn and myself asked Mr. Watson to request Captain Kane not to mention the circumstances which I had told him of. To the best of my recollection Mr. Watson said that he could not do so. Again he advised Mr. Comyn,—that should he ever be called on,—to speak the truth. Mr. Comyn finished by saying he would rather resign the service than give evidence against Colonel Gidley.

*By the Prisoner.*—I have opened a note to the address of Surgeon Elliot. The purport of the paper in which Mr. Comyn wished me to give a modified statement was, that Mr. Comyn thought, that in consequence of a letter from Captain Kane, some enquiry would be instituted. This paper was not, I imagine, intended as evidence against Colonel Gidley. Mr. Comyn intended it to prevent the circumstance being known—so as to put it out of my power to give evidence about it. I always told Lieutenant Comyn to speak the truth for his own sake—so has the Rev. Mr. Watson. The Rev. Mr. Watson told Mr. Comyn that he (Mr. C.) would most likely lose his commission unless he spoke the truth, when called upon to do so. Mr. Watson gave Mr. Fraser the same advice that he gave to Lieutenant Comyn, to speak the truth on all points when put on his oath before the Court Martial.

*Prisoner.*—"Lieutenant Comyn has positively sworn before this Court, that Ensign Loft was not drunk upon the occasion alluded to. He simply told you so. Do you, of your own knowledge, know which statement is true?"

*Witness.*—"I do not.

*By the Prisoner.*—The note was put into my hand: it was addressed to the late Surgeon Elliot. From the state in which he was when I last saw him—sick, I opened the note, thinking that Lieutenant Comyn had been taken ill: that was my only reason for opening it.

*By the Court.*—I was certainly on sufficiently intimate terms with Lieut. Comyn at that time to justify me in opening the note.

*The Rev. Mr. Watson*, called, and re-examined.—I am acquainted with Lieut. Comyn of the 15th Regt. N. I. In the month of Sept. last, I had three conversations with Lieut. Comyn,—*one* I do not wish to mention if the Court does not wish it. The subject of the conversations at Mr. Wainwright's house was, the drunkenness of Mr. Loft and Mr. Hammond at Colonel Gidley's house, when Mr. Loft was officer of the day. On the first day I went by accident to Lieut. Wainwright's house, and found Mr. Comyn there. I was appealed to by Mr. Wainwright, as to the paper asked for by Mr. Comyn, modifying the circumstances, which took place at Colonel Gidley's house on the night in question. I, of course, said, I considered it very wrong to do so, and in the course of the same conversation, Mr. Wainwright said to Mr. Comyn, "Now, I tell you, Comyn, in the presence of Mr. Watson, that you told me that Loft and Hammond were so drunk at Colonel Gidley's house on that night, that they were obliged to be taken home by you and Colonel Gidley in Doctor Elliot's gharry; and that Mr. Loft was so bad that he was black in the face, and it was expected every moment he would get a fit of apoplexy, and Colonel Gidley was obliged to lift Mr. Loft into the gharry." Mr. Comyn did not deny the fact of having told Mr. Wainwright this; but only complained of Mr. Wainwright's breach of confidence in having told it. I told Mr. Comyn in the course of that conversation that as an officer, a gentleman, and a christian, he was bound to tell the truth, if called upon to do so. (This was in reference to the proceedings which were then expected to take place.) Mr. Comyn replied, "I would rather resign my commission than give evidence against Colonel Gidley." That is all I recollect of that day's conversation. Next day, Mr. Wainwright came over to my house, and called me over to his. He told me, at Mr. Comyn's request, that both he and Mr. Wainwright wished me to see Captain Kane, not to bring that

matter forward, should any Court of Inquiry or Court Martial be assembled, as was then supposed. I replied that it would be of no use to do so, even if I were so disposed—which I was not. During the evening a great deal of conversation took place which I can't remember. At the end of the conversation I proposed to Mr. Comyn that I should go to Colonel Gidley's and explain to him how he had revealed the circumstances which had taken place at Colonel Gidley's house. Mr. Comyn replied that he would not for the world have me go to Colonel Gidley's in his present state of mind.

*Prisoner.*—"Whose state of mind?"

*Witness.*—"Colonel Gidley's."

*Question by Prisoner.*—"Have you, since the Court has been sitting, written a note to one of the witnesses, Lieutenant Comyn, accusing him, in direct terms, of the crime of wilful and direct perjury, and if so, are you aware that charges have been preferred against you for doing so?"

*Witness.*—I hope before I answer that question, the Court will allow me to explain the circumstances. Some few days ago, I received a note from Mr. Comyn, requesting me to return to him a written promise to abstain from all intoxicating liquors, as he was resolved from that day forth to retract his promise, or words to that effect. I wrote a note in these words, as far as I can recollect:—"My dear Mr. Comyn. In answer to your note, requesting the return of the document relative to your abstinence from intoxicating liquors, I feel it my duty to refuse to return it. You must not be surprised, after the evidence you have given that I do not come personally to offer my advice. I feel no anger towards you for that testimony, and I pray God to grant you repentance. If you wish to consult me you will find me at my tent." I was not aware of charges having been sent against me. Mr. Wainwright told me that Mr. Comyn had done so; but I thought that he was only joking.

*Question by Prisoner.*—"Witnesses are not allowed in Court during these proceedings. From whom did you learn the nature of the evidence which Lieutenant Comyn gave?"

*Witness.*—I don't recollect. It is an open Court, and the evidence of witnesses is known to every one.

The Court then adjourned till Saturday the 8th, to allow the Judge Advocate time to prepare a reply to the Defence.

#### TWENTY-FIFTH DAY, SATURDAY, 8th MARCH, 1854.

The Court assembled precisely at 11 o'clock, after which the Deputy Judge Advocate proceeded to read the following

#### REJOINDER.

-MR. PRESIDENT AND GENTLEMEN,—In availing myself of the privilege of making a Reply to the Defence set up by Colonel Gidley, I shall not impose upon myself the task of recapitulating the whole of the evidence adduced in connexion with the charges;—*First*, Because such a course would have the effect of extending this address far beyond the limits within which I wish to confine it; and, *Secondly*, Be-

cause the Court when closed to deliberate on their verdict will have an opportunity of renewing their acquaintance with any points which may, possibly have escaped their recollection. Nevertheless, there are certain portions of that evidence, which, from their contradictory nature, and the consequent doubt and obscurity in which they are involved, will demand mature consideration; and on these,—though desiring to be as brief as possible—I shall be compelled, I fear, to trespass at some length on the patience of the Court. For this the extreme importance of the several subjects discussed must plead my excuse.

Before proceeding to the consideration of any of these subjects, there is a very material point on which, as being intimately connected with the whole of them, I would beg to offer a few observations.

One most extraordinary feature which this trial presents, and one which cannot have escaped the notice of the Court, is the fact, that,—with the exception of Lieutenant Fraser, every witness adduced by Colonel Gidley is more or less implicated in those instances of delinquency, which formed the subject of the enquiry just terminated. The position in which Lieutenants Laurie, Comyn, and Ensigns Hammond and Loft have placed, or found themselves placed in connexion with the charges preferred against Colonel Gidley, is one, no doubt, of a highly embarrassing, as well as a very distressing nature; while making all due allowance for the influence which this most painful circumstance may have exercised on the testimony severally afforded by them,—first before the Court of Inquiry, and afterwards on the present trial,—it becomes my duty to draw the attention of the Court to the necessity of receiving with a due share of limitation and distrust the evidence of a party accused of an offence in favor of another party who is placed upon his trial for suffering that offence to pass unchecked and unpunished. On this point I shall have occasion, before closing the present address, to make some further remarks.—In the meantime, it may not be out of place here to offer a few observations on the manner in which these officers contrived to place themselves in the unfortunate position abovementioned.

It will be in the recollection of the Court, that after closing the oral examination of his witnesses, Colonel Gidley put in, as a part of case the Defence, an authenticated copy of a letter, dated the 8th Sept., 1853, addressed by himself to the Assistant Adjutant General, Seine Division of the Army. At the end of that letter there is a question in the following terms, which was proposed to the officers, eight in number, then present at Regimental Head Quarters, assembled for the purpose in the Mess-room:—

*Question.*—Have you at any time observed any intemperance or drunkenness on the part of any of your brother officers at the Mess dinner table, or in the Billiard-room at Bhoof? and if so, be good enough to state it.

To this question the late Surgeon Elliot gave the guarded reply,—“not that I recollect;”—while Lieutenants Laurie, Comyn, Thompson, and Fraser, and Ensigns Loft and Hammond answered unqualifiedly,—“no; I have not.”—Only one officer (Lieutenant Stileman,) whose name was not mixed up in any way with the alleged instances of intemperance was present on that occasion; and he on the question being put to him replied, “yes; in the case of Lieutenant Laurie in the Billiard-room.”

Considered only with reference to numbers, and apart from the accusations afterwards brought in a more formal and tangible shape against Doctor Elliot, Lieutenants Laurie, Comyn, and Thompson, and Ensigns Loft and Hammond, the preponderance of evidence regarding the alleged intemperance and low tone prevailing among some officers of the corps, was so decidedly in favor of the writer of that letter, that it may not, at first sight, appear surprising that the letter should

have been forwarded for the consideration of His Excellency the Commander-in-Chief, by whose order Colonel Gidley had been required to report upon the subject. I have used the qualifying phrase, "*at first sight*," because had Colonel Gidley reflected, that five, if not six, out of those eight officers, had been charged with acts of intemperance, while four others,—Major Watkin, Lieutenant Kane, Lieutenant Coles, and Ensign Wainwright,—who had already brought some of those acts to his notice were unavoidably absent on duty or sick certificates;—and that a more searching investigation than any which had previously taken place, was not only probable but highly possible, it is but reasonable to suppose that he would have hesitated before sending that letter,—at least, in its present suicidal state. Send it, however, he did; and Lieutenants Laurie, Comyn, Thompson, and Fraser, and Ensigns Loft and Hammond, by allowing the answer to be recorded which appears against each of their names at the bottom of that letter, became, from that moment, committed to support the cause of Colonel Gidley against all who were prepared to depose to the prevalence of intemperance in the Regiment. Of the nature, extent and value of that support, the Court will have an opportunity of forming their own opinion; bearing in mind that one of these supporters of Colonel Gidley moved by remorse, and, let us hope, real contrition, has unsaid on oath what he stated when unsworn,—while the testimony of another, Lieutenant Comyn, has been proved by two credible witnesses, to be utterly valueless for legal purposes.

As regards the First Instance of the First Charge, there is only one point on which I think it necessary to offer any remarks, viz., the stress which has been laid on certain trifling variation or discrepancies, as they have been termed, in the evidences of the witnesses adduced on the prosecution.

On this point I would beg the Court to bear in mind one important fact,—the length of time which had elapsed since the circumstances took place before the parties who were present were called upon to depose to them. The dinner at Major Jacob's was given, as the Court are aware, in the month of January 1853, and it was not till October or November, a period of nine or ten months, that the conduct of Dr. Elliot on that occasion became the subject of investigation by the Court of Enquiry of which Colonel Sinclair was President. During this long period, no notice whatever, official or otherwise, appears to have been taken of the matter,—what wonder, then, that those who had witnessed the occurrences should not have retained in their recollection every minute particular connected with the latter? Such slight lapses of memory, such partial remembrance of facts long since accomplished,—so far from invalidating the testimony of witnesses whose credit is otherwise unimpeachable,—is one of the strongest proofs of their honesty of purpose, and, consequently one of the most powerful claims on our reliance in their statements.

When wicked men conspire together to compass an object by means of false swearing it is always observed that their depositions,—prepared beforehand with concerted care,—concur in every possible respect;—in the most minute and trifling, as well as in the most prominent particulars.—But honest men, when called upon to depose to facts within their own personal knowledge,—acting without concert or combination,—relate those facts as they can best recall them to their minds, according to the impression they may have made at the time, and the powers of memory with which they may have been respectively endowed.

Hear what one of the most able witnesses on the Law of Evidence lays down on this subject, as a guide to those who may be required, in the course of a judicial investigation, to decide on the weight to be attached to statements in which such trifling variations or discrepancies occur:—

"A difference between witnesses in points of little importance," says Mr. Phillips, "affords no reason to suspect their veracity. These variations in testimony oc-

cur every day in the transactions of common life, and may be explained on the commonest principles of human nature. Men relate facts as they observe and remember them, and the powers of attention, observation and memory are infinitely diversified. A difference in the manner of relating unimportant circumstances is perfectly natural, and what might be expected in the ordinary course of things:—on the contrary, it is the exact coincidence in minute particulars that shows contrivance, and excites suspicion.”

If it be contended that the different circumstances, deposed to by the witnesses on the prosecution, were important facts in connexion with this instance of the charge, my answer is, that they were not so at the time they occurred;—when no one present at Major Jacob's table could have had the remotest idea that the conversation then going on would ever form the subject of a judicial inquiry; and which, as we have already seen, it did not do till after a lapse of nine or ten months. The recollection, therefore, of certain circumstances by some of the parties, and the non-remembrance of them by others, may very properly be considered as coming within the category of those cases referred to by Mr. Phillips.

The notice taken of the Second Instance of the First Charge, in Colonel Gidley's written Address, is confined to an assertion that none of the witnesses pretend to say that he saw Lieut. Comyn on his way to the Durbar, followed by certain illiberal reflections on two of the witnesses for the Prosecution, Captain Kane, and Major Watkin.

It is quite true that Colonel Gidley did not see Lieutenant Comyn on his way to the Durbar,—but on the subsequent occurrences,—Lieut. Comyn's farewell note to Colonel Gidley previous to committing suicide,—Colonel Gidley's visit to him in the evening,—his being entrusted to Ensign Wainwright's care, till Colonel Gidley and Dr. Elliot came and took him away at half past ten at night,—the sudden manner in which he was sent off to Mandavie on Medical Certificate for a disorder “supposed to be syphilitic,”—and the proposal of the Junior Officers to buy out Lieutenant Comyn,—on all these facts, recorded on the proceedings of this trial, the written Address of Colonel Gidley, for reasons best known to himself, preserves the most guarded silence.

The illiberal reflections made on Captain Kane and Major Watkin, in connexion with this Instance of the Charge, are couched in the following terms:—

“I must not, however, omit to notice, that both Major Watkin and Lieutenant Kane state positively that I was not aware of the state Lieutenant Comyn was in. Lieutenant Kane states that he reported to Major Watkin and not to me, as his duty should have dictated to him, and Major Watkin took upon himself to send Lieut. Comyn home without reporting the circumstance to me. How can this extraordinary conduct on the part of both officers be accounted for? in no other way than this,—Lieut. Kane had made up his mind that Major Watkin should command the Regiment, and himself (Captain Kane) be virtually the Commanding Officer. He had gained his first step in securing the Adjutancy six days previously. His wish was father to the thought, and he was so led away by his own ideas, as actually to forget, for the time being, the existence of such a person as Colonel Gidley, I am sure I need not remind this Court, that whatever Lieutenant Kane said Major Watkin obeyed.”

Setting aside the distorted accounts here given of the motives by which the Second in Command and the Adjutant were actuated on that occasion, Col. Gidley appears not to have known, or to have forgotten, that in employing the terms of unjustifiable invective that tarnish this portion of his written Address, the injury which he evidently intended to inflict on Major Watkin and Captain Kane, is likely to recoil with redoubled force on himself. Lest he should never have seen,

or have forgotten, the remarks contained in paragraph 77 page 16 of the Rules for the guidance of Courts Martial, on this subject, I will read them to him :—

“In drawing up his address, the Prisoner should avoid unwarranted recrimination, and the Prosecutor illiberal reflections on the Witnesses, and most particularly the impeachment of any person’s character not a party to the trial, when such a course would be irrelevant and unnecessary,—a line of proceeding which might weaken but could not strength his defence, and which is calculated to make an unfavourable impression on the confirming authority, who may thus be prevented extending that lenity to him, which his case might otherwise admit of.”

Hear, also, what General Kennedy, who, for nearly a quarter of a century, filled the office of Judge Advocate General of the Bombay Army, says on the same subject :—

“But, although a Court of Law rarely interferes with the Prisoner’s address to the Court, still no Prisoner is ever allowed to introduce into it the names of persons who are not concerned in the trial; and there is also a certain decorum which ought always to be observed in its style and expression. Officers, however, and not young officers only, are too often led, from resentment, or from a desire of making a very eloquent and impressive appeal to the feelings of the Court, to forget what the real object of a defence is, and to indulge themselves in a variety of topics perfectly foreign to the subject, and not unfrequently in ungenerous and personal reflections on the witnesses, and irrelevant recriminations on the Prosecutor. But the writer of these pages can assure them, from a pretty long experience, that such defences, instead of proving beneficial to the Prisoner, always tend to leave an impression unfavorable to him in the mind of the Court, and that there is more than one instance, where the King has commanded an Officer’s name to be struck out of the list of the Army solely on account of the intemperance of his Defence.”

As regards the Third Instance of the First Charge, Col. Gidley rests his justification on the severe reprimand which he assured the Court he had administered to Ensign Loft. Who was present on that occasion? Neither the Second in Command nor the Adjutant; but only the medical officer of the corps, whose name is mixed up with so many of the instances of delinquency, which formed the subject of enquiry before this Court. And what effect did this severe reprimand produce on Ensign Loft’s future conduct? Let the allegation contained in the Fourth and Seventh Instances of the First Charge furnish the answer. Without stopping to expatiate on the conflicting epithets applied by Col. Gidley and Ensign Loft to this reprimand,—one calling it “severe,” while the other described it as “kind,”—and leaving the Court to form their own opinion as to the expediency of severely reprimanding an officer for an act, the result of an alleged natural infirmity, I shall proceed to notice the account which Colonel Gidley gave of the transaction, in paragraph 4 of his letter of the 8th September 1853, written for the information of His Excellency the Commander-in-Chief, and an answer on the same subject by Ensign Loft to a question asked him by the Court on the nineteenth day of its assembly.

“One day,” says Colonel Gidley, “dining with Major Jacob, Political Agent, several officers of the Regt. being present” [not a word, it will be observed, about the ladies dining there,] “Ensign Loft fell asleep at table.—He presently left the room” [the fact of his being carried out of it being carefully suppressed,] “and was sent home. On rising from table I went out with the intention of calling the Adjutant” [out where? the Adjutant was at the table,] “and directing him to inquire into the cause of Ensign Loft’s behaviour, and, if it had been intemperance to have placed him under arrest.” Ensign Loft, when asked by the Court,

"did it appear to you a harsh or a kind thing to reprimand an officer, and force him to write an apology for falling asleep without any fault of his?" replied, "I believe that Colonel Gidley was first under the impression that I was the worse for liquor." The severe, yet kind reprimand, on which so much force has been laid, having been originally grounded on this impression, how comes it that Colonel Gidley did not place Ensign Loft under arrest?

There is one other point connected with the Third Instance of the First Charge, on which I had intended offering some remarks,—viz., an attempt to impeach the veracity of Captain Kane, in regard to a note said to have been written by him directing Ensign Loft's attendance at Colonel Gidley's quarters. The evidence on the cross-examination however, having shown that the note existed only in the imaginations of the witnesses for the Defence, and Colonel Gidley in his written Address having passed it over in silence, I will not trespass on the time of the Court with any further notice of it.

The Fourth and Fifth Instances of the First Charge do not appear to me to call for any particular observations; and I shall, therefore, leave the decision of the Court regarding them to rest upon the evidence recorded on the proceedings of the trial.

The only point in connexion with the Sixth Instance of the Charge which I think it necessary to notice is another attempt to impeach the veracity of Captain Kane, in the case of Lieutenant Laurie's written statement respecting the occurrences in the Billiard-room on the night of the 13th August 1853. On the subject of this statement, a good deal of desultory, and, I fear, irrelevant testimony was allowed to be recorded:—the real facts may be compressed into much less space. At the Orderly-room held on the 15th August 1853, where Captain Kane and Major Watkin were for some time before the arrival of Lieutenant Laurie, the statement of the latter was read, or, rather, explained, by Colonel Gidley; who knowing that Captain Kane intended taking official notice of Lieut. Laurie's conduct, appears to have added what was not in the written statement itself, that Captain Kane, besides accusing Lieutenant Laurie of being in liquor, had threatened him with a Court Martial. That such was the impression left on the mind of Captain Kane, that officer has told the Court; and Major Watkin could have corroborated it, had not the evidence for the Prosecution on this Instance of the Charge already extended to such a length, that I was induced to refrain from calling him. Should the Court desire to have the evidence of Major Watkin on this point, it is still open to them to do so. When Captain Kane learnt that Lieutenant Laurie had charged him with threatening him with a Court Martial, he forwarded a Memorandum to Colonel Gidley, denouncing the accusation as premeditatedly false, and it was not until an Orderly-room was held on the 20th August, that Captain Kane was undeceived, Lieut. Laurie then denying that there was any such expression in his written statement, and Col. Gidley adding that he imagined there had been. This point, likewise, is susceptible of proof, should the Court wish to call for it; but the two following questions will, I think, serve to set the matter completely at rest:—*First*, If Captain Kane had been allowed to read Lieutenant Laurie's statement at the Orderly-room of the 15th August, or otherwise made acquainted with its real contents, is it likely,—nay, is it possible,—that he would have denounced the accusation as a premeditatedly false one, when the statement itself was in existence to confute his assertion? *Secondly*—If Colonel Gidley himself did not leave the erroneous impression, regarding the threat of a Court Martial, on the mind of Captain Kane, how comes it that he did not undeceive the latter immediately on the receipt of his Memorandum, or place him in arrest for preferring so grave and,—as it would in that case have been,—wholly unfounded charge against Lieutenant Laurie?

In attempting to establish the allegation contained in the Seventh Instance of the First Charge, I was compelled by unavoidable circumstances to rely upon the testimony of two parties, who, as we have already seen, had bound themselves to support the cause of Colonel Gidley, and who were, in consequence, unfriendly to the case for the Prosecution. Having been permitted by the Court to put leading questions to them, under the provisions of paragraph 167, page 29 of the Rules for the guidance of Courts Martial, I succeeded in extracting from Lieut. Comyn and Ensign Hammond a stock of information, which, though not amounting to direct legal proof, is sufficient presumptive evidence,—as I hope to be able to show,—to carry conviction to every unbiased mind.

The allegation in this Instance of the Charge is,—that Ensign Loft, when on duty as Officer of the Day, was at the quarters of Colonel Gidley in a state of intoxication, without any serious notice, official or otherwise, having been taken of the matter. Let us now carefully re-consider the unwilling, but not altogether unconvincing, testimony adduced in support of it.

Ensign Hammond was the first witness called, and after no less than five questions had been employed to elicit the fact, he reluctantly admitted that he was at Colonel Gidley's quarters one evening when Ensign Loft was there as Officer of the Day, and when Lieutenant Comyn was also present. Though asserting in the most positive terms that Ensign Loft was perfectly sober on that occasion, he was candid enough to acknowledge that Lieutenant Comyn took Ensign Loft's duty for him, assigning as a reason, that the latter felt very sleepy. I have said "candid enough," when perhaps "imprudent enough" would have been the more appropriate expression, for could the witness have had any idea of the effect which the rest of his examination must have produced on the mind of every unprejudiced person who heard it, he would, I think, have hesitated before making the admission, and confined himself to one of those *non mi ricordo* answers, for which his evidence on this trial, when under severe cross-examination, is so remarkable. And what was the information which the rest of his examination elicited? Briefly this:—That although after twelve o'clock at night, there were no ordinary duties for the orderly officer to perform, while extraordinary calls upon his attention were very unfrequent at Bhooj, Ensign Loft, who was only sleepy and might have gone to sleep whenever he liked, thought it necessary before doing so to ask his Commanding Officer's permission to make over his duty to another officer. It is true that, when asked whether such a circumstance did not strike him as singular, the witness allowed that "it was rather odd"; but the additional reason assigned by him in the same answer is odder still,—viz, "I wish to add, that Ensign Loft accompanied me to Colonel Gidley's in Dr. Elliot's cart, and we intended coming away together. Ensign Loft remarked to me,—'don't hurry yourself on my account, I feel tired, and will lie down till you are ready.' After that he asked the question of the Colonel for Lieutenant Comyn to take his duty."—So, because Ensign Hammond, although it was then midnight, wished to keep up the conviviality of the party, Ensign Loft,—who was less hilariously disposed, but did not desire to curtail his friend's enjoyments,—could not lie down for an hour or two, and indulge in one of those somnolent fits, to which he is said to be so subject; without first asking his Commanding Officer's permission to transfer his duty to another! Is it not an insult to the understanding of every military man,—even to the Ensign whose period of service has been confined to the performance of half a year's regimental duty,—to demand his implicit reliance on such a preposterous statement as this? In the Field, and even on some Garrison Guards, the officer on duty is required to remain on the alert during the whole night;—but where is the Regulation,—where any Regimental Standing Order,—forbidding the Officer of the Day to retire to rest when the performance of his ordinary duties had drawn to a close?

The evidence of Lieutenant Comyn affords still stronger ground than even that of Ensign Hammond, for drawing a conclusion directly the contrary of that which the witness intended to convey ;—and this for reasons which will presently appear

After confirming the statement of Ensign Hammond, with respect to Ensign Loft's sleepiness and the transfer of duty, this witness deposes to certain other circumstances to which I would entreat the Court to give their most earnest attention. From the examination of Ensign Hammond we learnt that he and Ensign Loft were on the most intimate terms; that they had lived together at different periods; that, for society's sake, even when occupying separate houses, Ensign Loft would stay for two or three days with Ensign Hammond;—and that, on the evening referred to in this Instance of the Charge, they both went to Colonel Gidley's and intended returning together, according to Lieutenant Comyn's own account, he was not on intimate terms with either of them; and yet Ensign Loft begs *him* to take his duty, instead of asking his friend, Ensign Hammond, although the latter, be it remembered, intended remaining at Colonel Gidley's till the chatting, and the singing, and clereoots, and the cold brandy and water, which Lieutenant Comyn told us made up the sum of that evening's happiness, should cease to possess further attraction, when he and Ensign Loft were to leave the house together—Mark what followed!—about 3 o'clock in the morning, the revels at Colonel Gidley's terminated, and the whole party, consisting of the Colonel, Lieutenant Comyn, Ensign Hammond and Ensign Loft left the house in Dr. Elliot's bullock-cart. For the two latter to go away together, as previously agreed upon, was natural enough, and need not, therefore, excite surprise or suspicion ;—but whence the necessity for Colonel Gidley and Lieutenant Comyn to accompany them? We shall be duly enlightened on this point, before we have gone much further into the matter. Whatever state Lieutenant Comyn may have been in when going to the Durbar in the month of April preceeding, he appeared to have been quite sober on the present occasion, and recollected a very material circumstance which has either escaped Ensign Hammond's memory, or his memory, most probably, at that time; was not in a fit state to receive and retain.—According to Lieutenant Comyn's account, the party proceeded, in the first instance, to the house of Ensign Hammond, which that officer and Colonel Gidley entered, Lieutenant Comyn and Ensign Loft going on to the house of the latter in the bullock cart. The distance from Colonel Gidley's house to Ensign Hammond's, the Court will remember, was about one hundred, and to Ensign Loft's about one hundred and forty, yards.—Ensign Hammond when asked whether any of his companions alighted at his house, replied, "I think not;" and, in answering to the next question, whether he could speak with certainty upon that point, he said, "no, I cannot." I leave the Court to draw the necessary inference as to Ensign Hammond's condition on that occasion; and how far it influenced Ensign Loft in asking Lieutenant Comyn to take his duty, or what effect it may have had when inducing Lieut. Comyn to beg Colonel Gidley to be allowed to do so. Unless the Court are prepared to place implicit reliance on that part of Lieut. Comyn's evidence in which he coolly and briskly told them that he himself went in a bullock cart, at 3 o'clock in the morning, a distance of one hundred and forty, and Colonel Gidley's one hundred yards, with no other object in view than the pleasure of the ride itself I am at a loss to conjecture what conclusion can be arrived at, under all the circumstances just detailed, than that Ensign Loft and Hammond were both in such an helpless state of inebriety as to render it necessary for Colonel Gidley and Lieut. Comyn to see them home and put them to bed.

For obvious reasons, I shall not lay any stress on the statement made by Lieut. Comyn to Ensign Wainwright, as affording direct legal proof of the allegation contained in the Seventh Instance of the First Charge. At the same time I must beg the Court to bear in mind that that statement was made by Lieut. Comyn to

an intimate friend on the morning following the revels at Colonel Gidley's, when the facts were quite fresh in his recollection, and when he could have had no object whatever in distorting those facts, or deceiving that friend.

The Court hardly requires to be reminded that, in the unavoidable absence of direct proof, the Law admits as conclusive, such a degree of circumstantial or presumptive evidence as is calculated to produce what is called "moral certainty."—Capt. Simmons, in his *Treatise on Military Law*, quoting from Beccorin, a distinguished Italian Juris Consul, has the following observations on this subject :—

"Presumptive proof does not depend on direct testimony; it is an effect produced by the concurrence of circumstances given in Evidence, which common sense points out as tending to a probable result; it is an inference that a particular fact has taken place; a consequence or conclusion, to which the mind is led, from the ordinary or probable effects resulting from certain causes; or which the mind arrives at by a comparison of results with causes."—And, speaking of *moral certainty*, Captain Simmons adds—

"It has been well observed by the author above quoted that *moral certainty* is nothing more than improbability, but probability, such as is termed certainty, because every man of sense assents to it necessarily from habit springing from the necessity of action and preceding all speculative theory.—Thence he argues, that the certainty which is required to convict an offender, is precisely that which influences or determines every man in the most important acts of his life; he remarks that this moral certainty is more easy to feel than accurately to define; and so completely does he consider that moral certainty is the effect of feeling, or study, or the application of acquired theories, that he prefers as less fallible, ignorance judging from feeling, than science deciding from thought and reflection." After quoting as above, Captain Simmons concludes his observations on circumstantial, or presumptive evidence in the following terms :—

"A concurrence of well authenticated incidents may, in some cases, carry as clear, or even a clearer, conviction to the mind than positive testimony unconfirmed by circumstances could have done :—*circumstances* cannot lie. Presumptive evidence must, notwithstanding, be ever held as a secondary kind of proof, and only to be allowed when the fact cannot be proved directly; it should be admitted cautiously, and when received should be such as to exclude a rational probability of innocence."

Leaving the decision of the Court on the First Instance of the Second Charge to be regulated by the evidence recorded on the proceedings, I shall proceed to the consideration of the Second and last Instance.

Of all the acts of delinquency which Colonel Gidley has been taxed with allowing to pass unchecked and unpunished, the one which forms the subject of this instance is, by far, the grossest and the gravest. During many years experience of the proceedings of Military tribunals, no paralled case has ever come under my notice; and from the peculiar character of the testimony afforded in regard to it, the Court in arriving at their verdict, will be required to exercise the utmost amount of care, caution, and consideration.

In proof of the alleged indecent attack on the late Dr. Elliott, I was able to adduce only one witness, Lieut. Hoskins of the Artillery, whose evidence must be fresh in the recollection of the Court to render it unnecessary for me to recapitulate it here. From the full, clear, and impartial nature of the statement made by that officer, no one who heard it, unblinded by prejudice or uninfluenced by interest, could, I think, reasonably entertain a doubt of its correctness. But when in addition to this powerful claim on his belief, the hearer was certified of the highly honourable character of the witness (as admitted by two of the very parties

whom he had accused) no amount of counter testimony, unless of a character equally unimpeachable, could possibly shake the confidence originally reposed on that statement.

To rebut the evidence of Lieut. Hoskins, three witnesses were called on the part of the defence, Lieut. Thompson, Ensign Hammond, and Ensign Loft. These officers, together with Dr. Elliot and Colonel Gidley, where the only parties in the Billiard-room when Lieut. Hoskins entered it on the occasion referred to, a fact such as will sufficiently account for my inability to adduce more than a single witness in support of the accusation.

Upon the nature of the testimony afforded by Lieutenant Thompson, Ensign Hammond and Ensign Loft, the manner in which it was given—and the impression produced by it on my own mind, I dare not trust myself to expatiate. And when weighing it against that of Lieut. Hoskins, I would not only wish to repeat to the Court the caution already given,—to receive with a due share of limitation and distrust the evidence of parties deposing on the subject of their own delinquencies; but likewise, beg them to submit the point to the only effective test which under the peculiar circumstances of the case, is at their command,—viz. the *motive* by which each witness could have been actuated in affording his testimony.

And first let me apply this test to the evidence of Lieut. Hoskins. It has been admitted, both by Ensign Hammond and Ensign Loft, that they are acquainted with Lieut. Hoskins; and that during that acquaintance, they had never known him commit nor had they ever heard him accused of having committed, any action which a gentleman of well regulated mind and manners could have reason to blush for.—What motive, then, but a desire to tell the truth, and further the ends of justice, could possibly have impelled Lieut. Hoskins to pursue the course he did? His highly honourable nature would have recoiled with horror from acting otherwise, had even his dearest interests (supposing such a thing possible) required him to depart one inch from the strict line of duty in regard to the dictates of truth. How much less likely, then—nay, how utterly impossible,—that he should voluntarily come forward, and falsely prefer a charge of so grave a nature as the one now under notice, in a case in which personally he could have no concern whatever!—He did not belong to the 15th Regiment; he had no occasion to propitiate the favour or dread the ill will of Colonel Gidley;—he was in no way mixed up with the misunderstanding previously in the Corps: and, in the selection of his companions from among the officers of it, he appears, naturally enough, to have preferred those whose characters and conduct assimilated with his own, without wholly shunning the society of the others.—And would any Court, by recording a verdict of acquittal on a charge established by such evidence, stamp the character of a witness like this with the stigma of a wanton perversion of the truth,—not to say willful Perjury?—I have studied the human mind to very little purpose indeed, if such should unhappily be the result!

Let us now submit the evidence of Lieut. Thompson, and Ensigns Loft and Hammond to the same test, and ask by what motive they could have been actuated in affording it. All three are distinctly accused, by an unconcerned and impartial witness, of participating in the deliberate and disgusting act which forms the subject of this Instance; while one of them, Ensign Hammond,—previous to the perpetration of it, is heard by the same witness to ask Colonel Gidley “shall we walk into the Doctor,” to which the Colonel replies “yes sell him by all means.”—For the share which Colonel Gidley had in that act, he has been called upon to answer at the bar of this tribunal:—and to exonerate himself from the charge, on whom does he lean for support? the very persons who are alleged to have taken the most active part in it! Is not this, as if a party indicted in a Court of Criminal Law, as an Accessory before the fact to a Felony, were to de-

mand an acquittal on the sole testimony of his accomplices, merely because the latter, though known as such, had not yet been arraigned for their complicity in it? If instead of having called his witnesses to depose on the subject of the indecent assault made upon the late Dr. Elliot, Lieutenant Thompson and Ensigns Loft and Hammond had been brought to trial before this Court for perpetrating that atrocity; and had the evidence for the Prosecution been confined, as it now is, to that of Lieutenant Hoskins alone, at what conclusion would the Court then have arrived at? Any attorney's clerk could tell us that, the affirmative testimony of one credible witness being sufficient in such a case, a conviction would have been inevitable.

I have already said that I dare not trust myself to expatiate on the evidence given by Lieutenant Thompson and Ensigns Hammond and Loft, in connection with this Instance of the Charge. I shall exercise the same reserve, in asking by what *motive* they could have been actuated in giving that evidence; leaving the answer to be found in the verdict of the Court.

Before quitting this part of the subject, it may be as well to consider the law in regard to a single witness, and weighing his evidence against the counter testimony of five or more partners. In the Court of Ordinary Criminal Jurisdiction, the only offences which require to be established by more than one witness, are High Treason, Misprison of Treason, and Perjury; while the making of False Masters is the only military delinquency which must under the provisions of the 31th section of the Mutiny Act, be proved by two witnesses.

"In deciding upon the effect of evidence," (says Mr. Phillips) "the question is, not by how many witnesses a fact may have been proved, but whether it has been proved satisfactorily, and so as to convince the understanding. The number of witnesses is not more conclusive on a matter of proof than a number of arguments on a subject of reasoning.

"If the law were in every case to require peremptorily two witnesses, this would by no means ensure the discovery of the truth, but it would infallibly obstruct its discovery whenever a fact is known only to a single witness; and thus secret crime might pass with impunity. Abstractedly speaking, there cannot be any reason for suspecting the evidence of a witness, because he stands alone. The evidence of a single witness may be so clear, so full, so impartial, so free from all suspicion and bias as to produce in every mind, even in the most scrupulous, the strongest and deepest conviction. On the other hand, witness may crowd after witness, all repeating the same facts, yet none be worthy of credit. In short, it is the character of witnesses and the character of their evidence that ought to prevail, and not their number."

With these remarks of Mr. Phillips, I had intended closing my reply; but there is one other material point to which I would wish to direct the attention of the Court, and then my task as official Prosecutor will be accomplished.

At the commencement of this address, I alluded to the contradictory nature of the evidence adduced on the present trial, as involving many points connected with it in obscurity and doubt; and consequently demanding very mature consideration.

The remarks which I have had the honor of submitting to the Court on those points will have succeeded, I trust, in dispelling much of that doubt and obscurity, and it now only remains for me to impress upon their minds the expediency of instituting a comparison between the characters of the witnesses, generally, adduced on both sides, as a very safe, not to say an unerring guide in deciding on the weight to be attached to their several statements.

"When the testimony of conflicting witnesses" (says General Kennedy, in quoting from Starkie on evidence) "is irreconcilable, and cannot be attributed to incapacity or error, it frequently becomes a painful and difficult task to decide to which class credit is due. The first comparison is their character for integrity. This may either depend on positive evidence as to their previous situation, conduct and character; or may be a matter of inference or presumption, from their relative situation to the parties or the subject matter of the cause, and the various and almost innumerable circumstances by which their testimony may be influenced or biased."

In instituting the comparison just mentioned, I pray the Court to ponder well and long on these remarks made by one of the most eminent writers on the law of evidence. Apply the tests therein proposed, first to the witnesses called by me,—The Rev. Mr. Watson, Dr. Beatty, Lieutenants Raikes, Mellersh, Billamore and Hoskins, Major Watkin, Captain Kane, Lieut. Coles, and Ensigns Thompson and Fraser, and Ensigns Loft and Hammond. Ask yourselves what was the previous situation, conduct, and character of each; what his relative situation as to the parties and the subject matter of the cause: and how his testimony may have been influenced or biased.

In doing this let me entreat you not to lose sight of the fact, that the six first named witnesses for the Prosecution were in no way connected with the 15th Regiment, and could not therefore, be swayed by any personal feeling or bias; while the remaining four belong to that section of the officers, not one of whom have ever been charged with acts of Intemperance or Indecency. Bear in mind the circumstances under which the suicidal letter alluded to in an early part of this address, was written by Colonel Gidley; the manner in which he obtained the support of seven out of the eight officers to whom the fatal question was proposed; and the imperious necessity under which he and they, from that moment laboured, of persisting in statements originally made, as we gathered from one of his own witnessess, merely with a view to save the credit of the corps. Remember also the damning resolution of another of his supporters, to resign the service rather than give evidence against Colonel Gidley;—and declare by your verdict to which class of witnesses, adduced on this trial, credit ought to be accorded. It is a very painful task, no doubt, to be required to denounce a statement, deliberately made on oath by any one occupying the position of an officer and a gentleman, as being directly at variance with the truth; but that painful duty the present Court will shortly be called upon to perform, as regards either the witnesses for the defence or those for the prosecution. One class or the other must inevitably be branded with the stigma of mendacity, and, in deciding on which the stain shall rest, the Court, I feel assured, will act in strict accordance with the terms of the solemn obligation under which they assumed their present office,—without partiality, favour, or affection, according to their conscience, and the best of their understanding.

H. BOYE, Captain.

Deputy Judge Advocate General.

Bombay, 8th April, 1854.

### GENERAL ORDER.

BY HIS EXCELLENCY THE COMMANDER-IN-CHIEF.

Head Quarters, Mahabaleshwar, 15th April, 1854.

At an European General Court Martial, assembled at Bombay, on the 20th day of February 1854, and of which Col. Frederick Parkinson Lester, Commandant of

Artillery, is President. Lieutenant Colonel Thomas Gidley, of the 22nd Regiment N. I., was tried on the following Charges, viz:—

**CHARGES.**—Lieutenant Colonel Thomas Gidley, of the 22nd Regiment N. I., brought to trial on the following Charges, viz:—

**FIRST CHARGE.**—For gross dereliction of duty, when Commanding Officer of the 15th Regiment N. I., in having at Bhooj, in the province of Cutch, between the 1st of January and 1st of September one thousand eight hundred and fifty-three, countenanced intemperance and unbecoming conduct among the Officers of the Regiment under his command, by permitting, unchecked and unpunished, the following instances of drunkenness and impropriety degrading to Gentlemen and ruinous to discipline.

*First Instance.*—In the instance of the late Surgeon Elliot, who was drunk and indecent in his language at a dinner party given by the Political Agent in Cutch on or about the thirteenth day of July, one thousand eight hundred and fifty three,—the Prisoner being present.

*Second Instance.*—In the instance of Lieutenant Comyn, of the 15th Regiment N. I., who was drunk when going to the Durbar of His Highness the Rao of Cutch, on or about the seventh day of April, one thousand eight hundred and fifty, three.

*Third Instance.*—In the instance of Ensign Loft, of the 15th Regiment N. I., who was drunk at a dinner party given by the Political Agent in Cutch, on or about the month of April, one thousand eight hundred and fifty-three,—the Prisoner being present.

*Fourth Instance.*—In the instance of the late Surgeon Elliot, and Ensigns Loft and Hammond, of the 15th Regiment Native Infantry, who were drunk at a Nautch, given on or about the twentieth day of April, one thousand eight hundred and fifty-three,—the Prisoner being present.

*Fifth Instance.*—In the instance of the late Surgeon Elliot, who, on or about the thirteenth day of April, one thousand eight hundred and fifty-three, between the hours of nine and ten o'clock at night, arrived drunk at Ensign Cole's Bungalow when required to afford medical aid to that Officer, Surgeon Elliott having come from the prisoner's house on that occasion.

*Sixth Instance.*—In the instance of Lieut. Laurie, of the 15th Regiment Native Infantry, who was drunk in the Billiard-room of the Regiment on or about the evening of the thirteenth day of August, one thousand eight hundred and fifty-three,—the prisoner being present.

*Seventh Instance.*—In the instance of Ensign Loft, of the 15th Regiment N. I., who was drunk at the prisoner's quarters, on or about the third day of August, one thousand eight hundred and fifty-three, Ensign Loft being at the time on duty as Officer of the day.

**SECOND CHARGE.**—For gross dereliction of duty, when Commanding Officer of the 15th Regiment N. I., and conduct highly disgraceful and unbecoming the character of an Officer and a Gentleman, in not interfering to prevent the following scenes of indecency which were enacted in his presence.

*First Instance.*—In the instance of disgusting language used towards the late Surgeon Elliot, in the Billiard-room of the 15th Regiment Native Infantry, on or about the month of April, one thousand eight hundred and fifty three, on which occasion Ensign Loft, of the 15th Regiment Native Infantry, laid hold of Surgeon Elliot by the private parts.

*Second Instance.*—In the instance of the late Surgeon Elliot, whose person was in-  
sincerely exposed in the Billiard-room, by certain Officers of the Regiment, on or  
about the month of May, one thousand eight hundred and fifty-three.

The above being in breach of the Articles of War.

Adjutant General's Office,

Head Quarters, Bombay, 6th February, 1854.

By order of His Excellency the Commander-in-Chief,

(Sd.) HENRY HANCOCK, Lieut. Col.,

Adjt. Genl. of the Army.

Upon which Charges the Court came to the following decision:—

**FINDING.**—The Court, from the evidence before it, finds the Prisoner, Lieut.  
Colonel Thomas Gidley, of the Twenty-second Regiment Native Infantry,

Guilty of the First Charge in the First Instance.

Guilty of the First Charge in the Second Instance.

Guilty of the First Charge in the Third Instance.

Guilty of the First Charge in the Fourth Instance.

Not Guilty of the First Charge in the Fifth Instance.

Guilty of the First Charge in the Sixth Instance.

Guilty of the First Charge in the Seventh Instance.

Not Guilty of the Second Charge in the First Instance.

Guilty of the Second Charge in the Second Instance.

**SENTENCE.**—The Court having found the Prisoner Guilty, as above specified,  
which being in breach of the Articles of War, sentence him, Lieutenant Colonel  
Thomas Gidley, of the Twenty-second Regiment of Native Infantry, to be dismissed the  
Honorable Company's Service.

(Sd.) F. P. LESTER, Colonel, and President

(Sd.) H. BOVE, Capt.,

Deputy Judge Advocate General.

Approved and Confirmed.

(Sd.) F. FITZCLARENCE, Lieutenant General,

Commander in Chief, Bombay Army.

Head Quarters, Mahableshtar, 15th April, 1854.

#### REMARKS BY THE COMMANDER IN CHIEF.

It is unnecessary that I should add, by any remarks of mine, to the pain which the  
Officer who has been the subject of this trial, must experience at the lamentable po-  
sition in which he has placed himself. But my sense of duty requires that the fol-  
lowing Officers who were placed in arrest by Lieutenant Colonel Sinclair, Command-  
ing in Chief, and President of the Court of Inquiry, which preceded this trial, should  
be brought before a Court Martial, viz. Lieutenants Laurie, Comyn, and Fraser, and  
Ensigns Loft and Hamond.

(Sd.) FREDERICK FITZCLARENCE, Lieut.-Genl.

Commander in Chief.